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October 11, 2013

Update No. 93
10-13

TO: Persons Holding Copies of the San Diego County Zoning Ordinance
FROM: Planning & Development Services
RE: AMENDMENT PAGES FOR THE COUNTY ZONING ORDINANCE

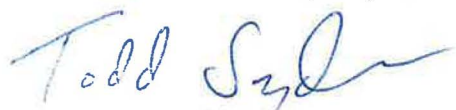
Attached are pages containing changes to the San Diego County Zoning Ordinance amended by adoption of Ordinance No. 10285 (N.S.), effective 10-11-13. This Ordinance makes additions and amendments to Definitions; makes amendments to Use Regulations, Animal Regulations, Accessory Use Regulations, Sign Regulations, Fencing and Screening Regulations, Parking Regulations, Nonconformity Regulations, Miscellaneous Regulations and adds to the Procedures related to Equine uses. These amendment pages are known as POD 10-010, adopted by the Board of Supervisors on September 11, 2013.

Please substitute these pages in your copy of the Zoning Ordinance by removing the obsolete pages and adding the new pages as follows:

REMOVE	ADD	SECTION CHANGES/DESCRIPTION
Table of Contents (1 page)	Table of Contents (1 page)	TOC amended
Def. A - Def. B (3 pages)	Def. A - Def. B (4 pages)	Definition of "Animal Enclosure" added Definition of "Barn" amended Definition of "Boarding and Breeding Stable" removed Definition of "Boarding" added Pagination changes
Def. G - Def. H (3 pages)	Def. G - Def. H (3 pages)	Definition of "Horse" amended Definition of "Horsekeeping" amended Definition of "Horse Stable" added Pagination changes
Def. P - Def. P (3 pages)	Def. P - Def. P (3 pages)	Definition of "Public Stable" removed Definition of "Pasture" added

REMOVE	ADD	SECTION CHANGES/DESCRIPTION
Def. S - Def. S (1 page)	Def. S - Def. S (1 page)	Definition of "Stable, Boarding or Breeding" removed Definition of "Stable, Private" removed Definition of "Stable, Public" amended
1425 - 1425 (1 page)	1425 - 1425 (1 page)	Animal Sales and Services: Horse Stables amended Animal Sales and Services: Veterinary (Large Animals) amended
1725 - 1725 (1 page)	1725 - 1725 (1 page)	Animal Raising amended
3100 - 3112 (2 pages)	3100 - 3112 (2 pages)	Animal Schedule amended Animal Enclosure Setback Table amended
3130 - 3130 (1 page)	3130 - 3130 (3 pages)	Horse Stable and Horsekeeping regulations added
6156 - 6156 (4 pages)	6156 - 6156 (5 pages)	Accessory Uses Encompassed by Principle Use h. Barns and Agricultural Storage Buildings amended u. Farm Employee Housing amended
6156 (1 page)	6156 (1 page)	Ordinance notation added
6252 - 6252 (1 page)	6252 - 6252 (1 page)	Exempt On-Premise Signs v. amended
6708 - 6708 (2 pages)	6708 - 6708 (2 pages)	Permitted Fences, Walls, Gates and Entry Structures g. & h. amended
6762 - 6785 (5 pages)	6762 - 6785 (6 pages)	Parking Requirements: 6762 Commercial Equine or Horse Stable added Pagination changes
6879 - 6879 (1 page)	6879 - 6879 (1 page)	Equine Operation and Usable Area for Specified Horse Stables added
6906 - 6906 (1 page)	6906 - 6906 (1 page)	Requirements for Farm Labor Camps e. Evidence of Commercial Agriculture amended
7300 - 7300	7300 - 7300 (1 new page)	Zoning Verification Permit added

Upon insertion of these pages, we suggest you fill in the space provided for Update No. 93 inside the front cover of your Zoning Ordinance. This will serve as a record that your copy has been updated. If you have any questions regarding this update, please contact Carl Stiehl at (858) 694-2216.



Todd Snyder, Chief
Advance Planning Division
Department of Planning and Land Use

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(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)

(Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

(Amended by Ord. No. 10285 (N.S.) adopted 9-11-13)

Adult Arcade/Peep Show: Any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are regularly maintained to show images to five (5) or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by their emphasis upon matter exhibiting or describing specified sexual activities or specified anatomical areas.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)
(Amended by Ord. No. 9469 (N.S.) adopted 6-12-02)

Adult Motion Picture Theater: An establishment, with a capacity of fifty (50) or more persons, where, for any form of consideration, films, motion pictures, video cassettes, slides or similar photographic reproductions are shown, and in which a substantial portion of the total presentation time is devoted to the showing of material which is distinguished or characterized by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas for observation by patrons.

Adult Theater: A theater, concert hall, auditorium or similar establishment, either indoor or outdoor in nature, which, for any form of consideration, regularly features live performances which are distinguished or characterized by an emphasis on specified sexual activities or by exposure of specified anatomical areas for observation by patrons.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

Agricultural Employee: (See Farm Employee)

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)

Agricultural Homestay: A working farm or ranch on which bedrooms are made available for rent in a farm or ranch house occupied by the farmer or rancher or in a single cabin or other small detached structure measuring no more than 500 square feet and where lodging and overnight sleeping accommodations are provided for a stay of no more than 14 days, either with or without meals.

(Added by Ord. No. 9470 (N.S.) adopted 6-12-02)

Def. A

Agricultural Tourism (also Agri-tourism or Ag-tourism): The act of visiting a commercial agricultural enterprise for the purpose of enjoyment, education or active involvement in the activities of the farm, ranch or agricultural operation.

(Added by Ord. No. 10204 (N.S.) adopted 3-28-12)

Agricultural Zone: A zone including a use regulation set forth in Sections 2700 through 2799, inclusive.

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)

Agriculture: Shall mean the production of goods such as food, fibers or feed by the systematic growing and harvesting of plants, animals and other life forms. Typical forms of agriculture include cultivation of land and raising of livestock.

(Added by Ord. No. 10003 (N.S.) adopted 8-5-09)

Aircraft: Any contrivance, now known or hereafter invented, used or designed for navigation of or flight in the air. "Aircraft" does not include ultralight vehicle as defined by this ordinance.

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 7197 (N.S.) adopted 9-10-86)

Airport: Any area of land, water or a structure which is used or intended for use for the landing and taking off of aircraft and any appurtenant areas which are used or intended for use for airport buildings or other airport facilities or rights-of-way, together with all airport buildings and facilities located thereon.

(Added by Ord. 5508 (N.S.) adopted 5-16-79)

Alley: A public or private way permanently reserved as a secondary means of access to abutting property.

Amendment: Any change, modification, deletion, or addition to the wording, text or substance of the Zoning Ordinance, or any change, modification, deletion or addition to the application of the Zoning Ordinance to property within San Diego County, including any alteration in the boundaries of a zone, when adopted by ordinance passed by the Board of Supervisors in the manner prescribed by law.

Anatomical Areas: (See Specified Anatomical Areas)

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

Animal Enclosure: An area surrounded on all sides by a fence, corral, pen, pipe, post, rail, wall or other barrier (or a combination) for the keeping of animals, including but not limited, to chickens, horses and cattle. An agricultural building, stable or barn located within or adjacent to an Animal Enclosure, is not considered an Animal Enclosure. An Animal Enclosure may be covered or uncovered and may have a solid wall on more than one side. A fenced pasture of one acre or larger for use as a riding or grazing area, but not for the permanent keeping of animals, is not considered an Animal Enclosure.

(Added by Ord. No. 10285 (N.S.) adopted 9-11-13)

Animal, Large: Limited to bovine animals, sheep, goats, swine, ostriches, emus, llamas and alpacas.

(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)

Animal Regulations: That element of a zone which indicates, by means of a letter designator, the regulations pertaining to the keeping of animals.

(Added by Ord. No. 8166 (N.S.) adopted 10-21-92)

Animal, Small: Poultry, rabbits, chinchillas, hamsters, and other small domesticated animals other than a large animal or specialty animal.

Animal, Specialty: Including, but not limited to, fish, furbearing animals, wild or undomesticated animals, amphibians, insects and birds, other than large or small animals.

Animal Waste Processing: The processing of animal waste and byproducts including but not limited to animal manure, animal bedding waste, a similar byproduct of an animal raising agricultural operation, for use as a commercial fertilizer or soil amendment and including composting operations.

Def. A

Apartment Hotel: A building or portion thereof designed for or containing both individual guest rooms or suite of rooms and dwelling units.

Approach-Departure Path: The flight track of a helicopter as it approaches or departs from the helicopter facility's designated take-off and landing area.

(Added by Ord. No. 7058 (N.S.) adopted 10-30-85)

Aquaculture: A form of agriculture devoted to the controlled growing and harvesting of fish, shellfish, and plants in marine, brackish, and fresh water.

(Added by Ord. No. 7630 (N.S.) adopted 05-23-89)

Attached: (See Building Type; Nonresidential)

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

Attached, Three to Eight Dwelling Units: (See Building Type, Residential)

Attic Story: Any story situated wholly or partly in the roof, so designated, arranged or built as to be used for business, storage, or habitation. An attic story shall be counted as a story.

Automobile Wrecking: The dismantling or wrecking of used motor vehicles or trailers, or the storage, sale or dumping of dismantled or wrecked vehicles or their parts. The presence on any lot or parcel of land of 5 or more motor vehicles which for a period exceeding 30 days have not been capable of operating under their own power, and from which parts have been or are to be removed for reuse or sale shall constitute prima facie evidence of an automobile wrecking yard

DEFINITIONS (B)

Background Sound Level (L_{90}): The sound level that is exceeded for 90 percent of the total measurement period as described in the current edition of Quantities and Procedures for Description and Measurement of Environmental Sound by the American National Standard Institution. Background Sound Level may be measured relative to A-weighting or C-weighting, in which case it would be denoted as L_{A90} and L_{C90} , respectively.

(Added by Ord. No. 10262 (N.S.) adopted 5-15-13)

Barn: A building used for the shelter of livestock raised on the premises, the storage of agricultural products produced or consumed on the premises, or the storage and maintenance of farm equipment and agricultural supplies used for the agricultural operations on the premises. A barn may be located within or adjacent to an Animal Enclosure, but a barn is not considered an Animal Enclosure. A Barn is considered an accessory residential or agricultural use.

(Amended by Ord. No. 10285 (N.S.) adopted 9-11-13)

Base Units: The number of dwelling units proposed for a housing development, exclusive of the density bonus units. The number of base units cannot exceed the maximum allowable residential density.

(Added by Ord. No. 10068 (N.S.) adopted 8-4-10)

Basement: Any floor level below the first story in a building, except that a floor level in a building having only one floor level shall be classified as a basement unless such floor level qualifies as a first story as defined herein.

(Amended by Ord. No. 6134 (N.S.) adopted 7-22-81)

Bed and Breakfast Home: A single-family dwelling in which more than two bedrooms are made available for rent on a less than weekly basis to provide lodging, including overnight sleeping accommodations and breakfast.

(Added by Ord. No. 7160 (N.S.) adopted 6-18-86)

(Amended by Ord. No. 7363 (N.S.) adopted 8-19-87)

(Amended by Ord. No. 7515 (N.S.) adopted 7-13-88)

Def. B

Bedroom: Attached room which is intended, arranged, or designed to be occupied by one or more persons primarily for sleeping purposes and shall have an area of not less than 70 square feet or be less than 7 feet in any dimension with a closet opening on it or within it.

(Added by Ord. No. 6134 (N.S.) adopted 7-22-81)

Bicycle Space: An area that is permanently reserved and maintained for parking one bicycle either in an open rack or an enclosed structure or locker.

(Added by Ord. No. 5976 (N.S.) adopted 1-28-81)

(Amended by Ord. No. 6940 (N.S.) adopted 4-10-85)

Bird: An avian species other than poultry.

(Added by Ord. No. 5786 (N.S.) adopted 6-4-80)

(Amended by Ord. No. 6268 (N.S.) adopted 4-14-82)

Block: All property fronting upon one side of a street between intersecting and intercepting streets, or between a street and a right-of-way, waterway, terminus of dead end street, or city boundary. An intercepting street shall determine only the boundary of the block on the side of the street which it intercepts.

Bluff: A scarp or steep face of rock, decomposed rock, sediment or soil resulting from erosion, faulting, folding, filling or excavation of the land mass. The bluff may be simple planar or curved surface or it may be steplike in section.

(Amended by Ord. No. 5329 (N.S.) adopted 12-13-78)

Bluff Edge: The upper termination of a bluff. When the top edge of the bluff is rounded away from the face of the bluff as a result of erosional processes related to the presence of the steep bluff face, the edge shall be defined as that point nearest the bluff beyond which the downward gradient of the land surface increases more or less continuously until it reaches the general gradient of the bluff. In a case where there is a steplike feature at the top of the bluff face, the landward edge of the topmost riser shall be taken to the bluff edge. In those cases where irregularities, erosion intrusions, structures or bluff stabilizing devices exist on a subject property so that a reliable determination of the bluff edge cannot be made by visual or topographic evidence, the Director shall determine the location of the bluff edge after evaluation of a geologic and soil report.

(Added by Ord. No. 5329 (N.S.) adopted 12-13-78)

Boarding: The provision of lodging, including room and board to paying guests on a monthly or longer basis.

(Added by Ord. No. 7160 (N.S.) adopted 6-18-86)
(Amended by Ord. No. 7363 (N.S.) adopted 8-19-87)

Boarding: The keeping of an animal or animals, such as a horse or dog, not owned by the property owner. In the case of a horse, this is part of the Horse Stable use type. In the case of other animals, boarding is allowed as part of a kennel or veterinary use type.

(Added by Ord. No. 10285 (N.S.) adopted 9-11-13)

Body Painting Studio: Any establishment or business which provides the service of applying paint or other substance whether transparent or nontransparent to or on the human body when such body is wholly or partially nude in terms of specified anatomical areas.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

Bookstore: (See Adult Bookstore and General Bookstore)

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

Borrow Pit: Premises from which soil, sand, gravel, decomposed granite or rock are removed for any purpose. For exceptions to Extractive Use Regulations see section 6557.

(Amended by Ord. No. 6133 (N.S.) adopted 7-22-81)
(Amended by Ord. No. 6298 (N.S.) adopted 5-26-82)
(Amended by Ord. No. 9958 (N.S.) adopted 12-10-08)

Def. B

Building: Any structure used or intended for supporting or sheltering any use or occupancy.

Building, Accessory: (See Accessory Building)

Building, Facing: The linear length of a building or portion of a building occupied by a single establishment.

Building Height: (See Height, Building)

Building, High Rise: Any building over 55 feet in height.

(Added by Ord. No. 9935 (N.S.) adopted 4-23-08)

Building, Main: (See Main, Building)

Building, Multiple-Entrance: Any nonresidential structure which provides primary access from sidewalks, parking areas, external balconies or arcades, or other public areas directly into any one of two or more individual tenant/user spaces in such structure without requiring passage through a common hallway, entry way or courtyard.

(Added by Ord. No. 6092 (N.S.) adopted 7-1-81)

Building Site: One or more legally created lots when used in combination for a building or group of buildings together with all open spaces as required by this ordinance. (See Lot Area, Net).

(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)

Building Site Front: (Deleted by Ordinance No. 7576 (N.S.) Adopted 1-11-89)

General Bookstore: An establishment engaged in the buying, selling and/or trading of new and/or used books, manuscripts and periodicals of general interest. A general bookstore does not include an establishment that is encompassed by the definition of adult bookstore.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

General Motion Picture Theater: A building or part of a building intended to be used for the specific purposes or presenting entertainment as defined herein, or displaying motion pictures, slides, or closed circuit television pictures before an individual or assemblage of persons, whether such assemblage be of a public, restricted or private nature, except a home or private dwelling where no fee, by way of an admission charge, is charged; provided, however, that any such presentations are not distinguished or characterized by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas in that any such depiction or description is only incidental to the plot or story line. A general motion picture theater does not include any establishment that is defined by Adult Motion Picture Theater, Adult Mini-Motion Picture Theater, Adult Motion Picture Arcade, or Adult Drive-In Theater.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

Grade: For the purpose of determining building height and calculating the number of stories, grade is the lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line, or when the property line is more than 5 feet from the building, between the building and a line 5 feet from the building.

(Amended by Ord. No. 7048 (N.S.) adopted 10-09-85)

Green Waste: Wood and excess plant material derived from the maintenance or trimming of trees, lawns, landscaped areas or areas of agricultural production and consisting of such organic waste as brush, leaves, garden wastes, orchard and vineyard prunnings and crop residues.

(Added by Ord. No. 8058 (N.S.) adopted 4-15-92)

Gross Floor Area: (See Floor Area, Gross)

(Added by Ord. No. 6940 (N.S.) adopted 4-10-85)

Gross Lot Area: (See Lot Area, Gross)

(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)

Ground Floor Area: (See Floor Area, Ground)

Groundwater Extraction Operation: Any property containing a well, spring box or other device through which groundwater is collected or extracted for sale. Groundwater Extraction Operations includes all appurtenant structures and facilities associated with the collection, extraction, storage, transfer and transportation of the groundwater, whether or not such appurtenant structures and facilities are located on the same legal lot as that from which the groundwater is collected or extracted. Groundwater Extraction Operation does not include the following:

Def. G

1. Incidental and occasional sale or transport of water in amounts up to 5,000 gallons per any consecutive seven day period, except when in the residential zones and the S80 Open Space and S81 Ecological Resource Area zones.
2. Water vending by machine, as allowed by Section 6156 ee.
3. Wells serving public water supply systems, as permitted by the County Department of Environmental Health or the State Department of Health Services, which distribute water through pipelines for domestic purposes.
4. Wells providing water only to public agencies to protect the public welfare for emergency uses such as for fire suppression and during temporary drought conditions, and/or for otherwise exempt uses.
5. Wells and springs providing water only to irrigate any agricultural use, that would not require transport on any public street or highway, and/or for otherwise exempt purposes.
6. Wells providing water exclusively to four or fewer contiguous residential parcels.

(Added by Ord. No. 8050 (N.S.) adopted 4-8-92)

(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

Guest Living Quarters: Living quarters attached to a primary dwelling unit without interior access or within a detached accessory building, which are for the sole use of persons employed on the premises or for temporary use by guests of the occupants of premises. Individual guests may be accommodated for a period not to exceed thirty (30) calendar days in any calendar year. Guest living quarters have neither kitchen facilities, wetbars nor laundry facilities and are not rented or otherwise used as a separate dwelling.

(Amended by Ord. No. 6134 (N.S.) adopted 7-22-81)(Formerly Guest House)

(Amended by Ord. No. 7576 (N.S.) adopted 1-11-89)

(Amended by Ord. No. 8897 (N.S.) adopted 3-18-98)

(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)

(Amended by Ord. No. 9982 (N.S.) adopted 4-22-09)

DEFINITIONS (H)

Habitable Space: A space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas, are not considered habitable space.

(Added by Ord. No. 6654 (N.S.) adopted 9-21-83)

Hardscape: Patterned paving material (i.e., tile or mortared pavers, wood timbers, colored patterned concrete providing a tile, brick or stone appearance), or an integral continuation of patterned paving material with enhanced concrete such as exposed aggregate, colored or salt finish.

(Added by Ord No 7735 (NS) adopted 3-13-90; operative 10-01-90)

Height, Building: The vertical distance above a referenced datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitch or hipped roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building:

1. The elevation of the highest adjoining sidewalk or ground surface within a 5-foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above lowest grade.
2. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in Item 1 above is more than 10 feet above lowest grade.

The height of a stepped or terraced building is the maximum height of any segment of the building.

(Amended by Ord. No. 7048 (N.S.) adopted 10-09-85)

Helicopter: A heavier than air aircraft that can take-off and land vertically or near vertically.

(Added by Ord. No. 7058 (N.S.) adopted 10-30-85)

Helipad: An area located on a commercial or public structure used for the take-off and landing of helicopters for the purpose of picking up or discharging passengers or cargo, but not including fuel service, maintenance or overhaul.

(Added by Ord. No. 7058 (N.S.) adopted 10-30-85)

Heliport: An area of land or water used for the take-off and landing of helicopters which area includes passenger and cargo facilities, maintenance and overhaul, fueling service, storage space, tie-down space, other accessory buildings, and open spaces.

(Added by Ord. No. 7058 (N.S.) adopted 10-30-85)

Helistop: An area of land, water or structure which is not designated as either a heliport or a helipad, used for the take-off and landing of a helicopter which is owned or controlled by the owner or occupant of the premises. Helistops are limited to tie-down or hangar facilities for the accommodation of a single helicopter. A helistop shall not include facilities for fuel service, maintenance or overhaul and shall not accommodate helicopters used for common carriers.

(Added by Ord. No. 7058 (N.S.) adopted 10-30-85)

Def. H

Historic/Archaeological District: For purposes of this ordinance the term "Historic/Archaeological District" shall be defined as an area which has been identified as containing multiple historic, cultural, architectural and/or archaeological resources that have been recognized by the application of a special area designator pursuant to Section 5703 of this ordinance to promote the preservation, protection and perpetuation of the historic, archaeological, architectural and/or cultural values.

(Added by Ord. No. 7101 (N.S.) adopted 3-12-86)
(Amended by Ord. No. 8114 (N.S.) adopted 7-29-92)

Historic/Archaeological Landmark: For the purpose of this ordinance the term "Historic/Archaeological Landmark" shall mean a single site, including the associated buildings, structures and plant life, which is considered to have historic and/or prehistoric significance due to its association with past events of historical, cultural, architectural and/or archaeological value and which has been recognized by the Board of Supervisors by the application of a special area designator pursuant to Section 5703 of this ordinance.

(Added by Ord. No. 5330 (N.S.) adopted 12-13-78)
(Amended by Ord. No. 7101 (N.S.) adopted 3-12-86)
(Amended by Ord. No. 8114 (N.S.) adopted 7-29-92)

Home Occupation: An occupation customarily conducted as an accessory use to a residential use entirely within a building containing a residential use or an attached garage.

(Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)

Horse: A horse is an equine that has reached the age of 12 months. The definition of a horse or equine also includes donkey, mule or burro.

(Amended by Ord. No. 10285 (N.S.) adopted 9-11-13)

Horsekeeping: The keeping of horses in a building or in an animal enclosure on premises where the horses are owned by the owners or the occupants of the premises, and where no horses are kept for commercial purposes. Horses allowed under Horsekeeping are an agricultural use. Horses kept for hire, breeding, boarding, raising, riding or performing for commercial purposes are considered part of a Horse Stable.

(Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)
(Amended by Ord. No. 10285 (N.S.) adopted 9-11-13)

Horse Stable: A stable consisting of, but not limited to, animal enclosures, riding arenas, corrals, paddocks, pens and/or other structures used for the boarding, breeding, raising, rehabilitation, riding training and/or performing of horses, by the owners, occupants or persons other than the owners or the occupants of the premises, for commercial purposes. See Animal Schedule for allowed zones and uses. For the private use of horses by the owner or occupants of a premises, see Horsekeeping.

(Added by Ord. No. 10285 (N.S.) adopted 9-11-13)

Hospital: An institution which specializes in giving clinical, temporary and emergency services of a medical or surgical nature to injured persons and which maintains and operates 24-hour inpatient services for the diagnosis and treatment of patients. Any hospital shall be so licensed by the State Department of Health.

(Amended by Ord. No. 5330 (N.S.) adopted 12-13-78)

Host Home: A single-family dwelling in which no more than two bedrooms are made available for rent on a less than weekly basis to provide lodging, including overnight sleeping accommodations and breakfast.

(Added by Ord. No. 7160 (N.S.) adopted 6-18-86)

(Deleted by Ord. No. 7363 (N.S.) adopted 8-19-87) (See Bed and Breakfast Home)

(Added by Ord. No. 7515 (N.S.) adopted 7-13-88)

Household, Low or Lower Income: A household whose income does not exceed the lower income limits applicable to San Diego County as published and periodically updated by the California Department of Housing and Community Development pursuant to Section 50079.5 of the California Health and Safety Code.

(Added by Ord. No. 10068 (N.S.) adopted 8-4-10)

Household, Moderate Income: A household whose income does not exceed the moderate income limits applicable to the San Diego County as published and periodically updated by the California Department of Housing and Community Development pursuant to Section 50093 of the California Health and Safety Code.

(Added by Ord. No. 10068 (N.S.) adopted 8-4-10)

Def. H

Household, Very Low Income: A household whose income does not exceed the very low income limits applicable to San Diego County, as published and periodically updated by the California Department of Housing and Community Development pursuant to Section 50105 of the California Health and Safety Code.

(Added by Ord. No. 10068 (N.S.) adopted 8-4-10)

Housing Assistance Plan: The Housing Assistance Plan adopted by the Board of Supervisors as part of the application for community development block grants from the federal government.

Housing Development: As applied in the Density Bonus Program at Sections 6350 through 6399 and the Density Bonus Permit Procedures at Sections 7400 through 7449, housing development shall mean a development project for five or more residential units and be as further defined in Section 65915(i) of the California Government Code.

(Added by Ord. No. 10068 (N.S.) adopted 8-4-10)

DEFINITIONS (I)

Incentive: As applied in the Density Bonus Program at Sections 6350 through 6399 and the Density Bonus Permit Procedures at Sections 7400 through 7449, incentive shall mean such regulatory incentive or concession as defined in California Government Code Subsection 65915(k).

(Added by Ord. No. 10068 (N.S.) adopted 8-4-10)

Incidental Landing Area: An area of land, water or structure which is not designated as a heliport, helipad or helistop and is required for the landing of helicopters for emergencies, public service or maintenance activities and is not a permanent landing or storage area for a helicopter.

(Added by Ord. No. 7058 (N.S.) adopted 10-30-85)

DEFINITIONS (N)

Nacelle: Wind turbine component which typically houses internal mechanical and electrical parts, such as generators, gearboxes, drive trains, and brake assembly.

(Added by Ord. No. 10261 (N.S.) and Ord. No. 10262 (N.S.) adopted 5-15-13)

Negative Declaration: A notice issued by the appropriate San Diego County granting authority stating that a proposed project will not have substantial adverse effects on the environment.

(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)

Net Lot Area: (See Lot Area, Net)

(Amended by Ord. No. 6855 (N.S.) adopted on 10-10-84)

Nonconforming Structure: A building, structure or facility, or portion thereof, which was lawfully erected or altered or maintained, but which, because of the application of this ordinance to it, no longer conforms to the specific regulations applicable to the zone in which it is located.

Nonconforming Use: The use of a building, structure, or site, or portion thereof, which was lawfully established and maintained, but which, because of the application of this ordinance to it, no longer conforms to the specific regulations applicable to the zone in which it is located.

Nonoperating Vehicles, Storage of: (See Storage of Nonoperating Vehicles)

Nudity: Devoid of an opaque covering which covers the genitals, vulva, pubis, pubis symphysis, pubic hair, buttocks, natal cleft, perineum, anus, anal region, or pubic hair region of any person or any portions of the breast at or below the upper edge of the areola thereof of any female.

(Added by Ord. No. 7106 (N.S.) adopted 3-19-86)

Nudist Facility: Any privately operated facility where nudity is permitted in common areas excluding sexually segregated restrooms or showers.

(Added by Ord. No. 7106 (N.S.) adopted 3-19-86)

Def. O

DEFINITIONS (O)

One-Hundred-Year Flood: (See Flood, One-Hundred-Year)

Open: (See Enclosure)

Open Space: (See Usable Open Space)

Open Space Easement: An easement established pursuant to Section 51050 or Section 51080 of the Government Code or an easement which ensures the permanent retention of land in open space.

Original Jurisdiction: Refers to the Director, Planning Commission or Board of Supervisors, whichever body has the authority to take action for approval or denial, regardless if that action is appealable or final.

(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)

(Amended by Ord. No. 9676 (N.S.) adopted 9-22-04)

DEFINITIONS (P)

Parcel: A contiguous quantity of land in the possession of, or owned by, or recorded as the property of, the same person.

Parking Area: An open area, other than a street or alley, which contains motor vehicle parking spaces.

(Amended by Ord. No. 5976 (N.S.) adopted 1-28-81)

(Amended by Ord. No. 7432 (N.S.) adopted 01-06-88)

Parking Garage: A building other than a private or public garage used for the shelter or storage of operating motor vehicles and may, incidental thereto be used for the care, repair or equipping of such vehicles.

Parking Space: An unobstructed space or area other than a street or alley which is permanently reserved and maintained for the parking of one motor vehicle.

Parlor: (See Massage Parlor)

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

Pasture: An area of one acre or larger surrounded on all sides by a fence, corral, pen, pipe, post, rail, wall or other barrier (or a combination) for use as a riding or grazing area, but not for the permanent keeping of animals. Such areas are not considered usable acreage under Horse Stable calculations and do not have to meet Animal Enclosure setbacks.

(Added by Ord. No. 10285 (N.S.) adopted 9-11-13)

Patio Cover: A one-story, open-sided shade structure consisting of a roof and structural supports, attached to or detached from the primary dwelling which is used only for recreational, outdoor living purposes and not as a carport, garage, storage room or habitable room. A patio cover may have enclosing walls in any configuration, provided the open area of the longer wall and one additional wall is equal to at least 65% of the area below a minimum of 6'-8" of each wall, measured from the floor. For the purposes of this definition, the term "open" includes the use of insect screen material.

(Added by Ord. No. 10006 (N.S.) adopted 9-16-09)

Peep Show Device: Any device which displays still or moving images in a peep show booth which depict specified anatomical areas or specified sexual activities upon payment of a fee or other consideration.

(Added by Ord. 8015 (N.S.) adopted 12-4-91)

(Amended by Ord. 9469 (N.S.) adopted 6-12-02)

Peep Show Booth: Any room, booth, partial enclosure or partitioned area of any room in which a peep show device is located, with a seating capacity of five or fewer persons. It does not include an Adult Mini-Motion Picture Theater which has a seating capacity of more than five but less than fifty persons where still or motion images are regularly shown to an audience of more than five but less than fifty persons at any one time.

(Added by Ord. No. 8015 (N.S.) adopted 12-4-91)

Penthouse: A projection above the roof which when used only for the shelter of mechanical equipment or shelter of vertical shaft openings in the roof is not regarded as a story.

Person: Any individual, firm, copartnership, joint venture, association, syndicate, this and any other county, city and county, city, municipality, district or other political subdivision, or any group or combination acting as a unit.

Photovoltaic Solar Energy System: A type of solar energy system that converts solar energy into a usable form of electricity using Photovoltaic Solar Cells.

(Added by Ord. No. 10072 (N.S.) adopted 9-15-10)

Def. P

Planned Development: A large, integrated development located on a single building site, or on 2 or more building sites which may be separated only by a street or other right-of-way. In such development, the land and structures shall be planned and developed as a whole in a single development operation or a series of operations in accordance with a detailed, comprehensive plan encompassing such elements as the location of structures, the circulation pattern, parking facility, open space, and utilities, together with a program for provision, operation and maintenance of all areas, improvements, facilities and services provided for the common use of the persons occupying or utilizing the property.

Plot Plan: A document or group of documents containing sketches, text, drawings, maps, photographs, and other material intended to present and explain certain elements of a proposed development, including physical design, siting and use of buildings and structures, interior vehicular and pedestrian access, the provision of improvements, and the interrelationship of these elements. The purpose of a plot plan is to establish a clear record of the development and use of the property.

(Added by Ord. No. 10204 (N.S.) adopted 3-28-12)

Ponds: (See Aquaculture)

(Added by Ord. No. 9935 (N.S.) adopted 4-23-08)

Porte Cochere: A covering over a driveway, (usually circular) or drive that allows a vehicle to continue onto another portion of the site, that provides temporary shelter to persons exiting a vehicle, but not serving as the only covered or enclosed vehicle shelter on-site.

(Added by Ord. No. 9935 (N.S.) adopted 4-23-08)

Pot-Belly Pig: A domesticated miniature Vietnamese, Chinese or Asian pot-bellied or pot-belly pig not exceeding one hundred twenty-five pounds in weight and not exceeding eighteen inches in height measured at the shoulder.

(Added by Ord. No. 10006 (N.S.) adopted 9-16-09)

Poultry: Chickens, turkeys, ducks and geese.

(Added by Ord. No. 6268 (N.S.) adopted 4-14-82)

Premises: Any building, structure, place, lot or parcel of land or any number of contiguous lots or parcels of land, in the possession or control of any person or in the joint or common possession or control of more than one person.

(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)

Principal Use(s): The primary use(s) for which land or a building is or may be intended, occupied, maintained, arranged or designed.

Private Garage: An accessory building or an accessory portion of the main building, designed and/or used for the shelter or storage of vehicles owned or operated by the occupants of the main building.

Psychiatric Facility: An institution in which care or treatment is given to persons suffering from mental illness, disease, disorder or ailment. Such facilities include, but are not limited to, psychiatric hospitals, day treatment hospitals, long term care facilities, resident treatment centers, family homes (mentally ill), alcoholism, hospital, and facility for admission of drug addicts all as defined in Article 2 of Subchapter 1 of the Title 9 of the California Administrative Code.

Public Active Park/Playground/Recreational Area: An outdoor area, along with its incidental buildings and structures, at least part of which is designed, developed, and intended for organized sport or athletic activities and/or other activities or events to which groups of people greater than the family unit might be attracted as participants or spectators.

(Added by Ord. No. 8340 (N.S.) adopted 12-15-93)

Public Garage: A building other than a private or parking garage in which specific spaces or stalls are rented to individual members of the public for the shelter or storage of private automobiles and other forms of private transportation or recreational vehicles, and which may include as a use incidental thereto, the storage of personal effects and personal household articles.

Public Park/Playground/Recreational Area: An outdoor area, along with its incidental buildings and structures, owned and/or operated by a public agency or a non-profit organization, which is designed, developed and intended to provide one or more recreational opportunities to the general public. Public Park/Playground/Recreational Area includes the following: Public Passive Park/Recreational Area, and Public Active Park/Playground/Recreational Area.

(Added by Ord. No. 8340 (N.S.) adopted 12-15-93)

Public Passive Park/Recreational Area: An outdoor area, along with minimal incidental buildings and structures, designed, developed and intended for low intensity passive recreational use by individuals, families, or small groups. Public Passive Park/Recreational Areas may be of any size and may include wilderness, ecological or natural preserves.

(Added by Ord. No. 8340 (N.S.) adopted 12-15-93)

DEFINITIONS (R)

Rap Parlor: (See Massage Parlor)

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

Recreational Vehicles: A motorhome, travel trailer, truck camper or camping trailer, with or without motive power, designed for human habitation for recreational or emergency occupancy, with a living area less than 200 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures, bath and toilet rooms.

Def. R

Recycling Collection Facility, Drop-Off: A facility consisting of bins, boxes, or other suitable receptacles for the acceptance (by donation) of recyclable materials from the public. In Residential Zones and Special Purpose Zones, the total capacity of collection receptacles shall not exceed 192 cubic feet.

(Added by Ord. No. 8058 (N.S.) adopted 4-15-92)

Recycling Facility: A facility or portion of any premises used for the collection and/or processing of recyclable materials as that term is defined in this ordinance. Recycling facilities may include reverse vending machines, bulk reverse vending machines, mobile recycling units, kiosk type units and free-standing containers operated or placed in accordance with the standards established by this ordinance. Processing in a recycling facility may include baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding and cleaning. A recycling facility does not include storage containers or non-mechanical processing activity located on the premises of a residential use, or storage and processing activity located on the premises of a commercial or manufacturing use which is solely for the recycling of material generated by that residential property, business or manufacturer.

(Added by Ord. No. 8058 (N.S.) adopted 4-15-92)

Recyclable Material: Reusable material including but not limited to metals, glass, plastic and paper, which are intended for reuse, remanufacture, or reconstitution for sale or reuse. Recyclable material does not include refuse or hazardous materials. Recyclable material may include clean (uncontaminated) used motor oil and oil filters collected and transported in accordance with Section 25250.11 and 25143.2(b)(4) of the California Health and Safety Code.

(Added by Ord. No. 8058 (N.S.) adopted 4-15-92)

Refuse Disposal Site: An area devoted to the disposal of refuse, including incineration, reduction, or dumping of ashes, garbage, combustible or noncombustible garbage or refuse, offal or dead animals.

Reserved Unit: A dwelling unit that will be reserved for sale or rent to, and affordable to, very low, low, or moderate income households or reserved for sale or rent to qualifying senior citizen residents.

(Added by Ord. No. 10068 (N.S.) adopted 8-4-10)

Residential Zone: A zone including a use regulation set forth in Sections 2100 through 2299, inclusive.

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)

Residual Background Sound Criterion (RBSC_{L90}) for Wind Energy Facilities: The Background Sound Level measured relative to A-weighting (L_{A90}) plus 5 dBA.

(Added by Ord. No. 10262 (N.S.) adopted 5-15-13)

Single Detached: (See Building Type, Residential)

Site Plan Permit: A permit which may be granted by the appropriate County officer or body to provide a review procedure for development proposals which is concerned with physical design, siting, interior vehicular and pedestrian access, and the interrelationship of these elements.

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

Solar Energy System, Offsite Use: A solar energy conversion system consistent with the requirements of section 6952 for offsite energy use. The energy generated is predominately used offsite.

(Added by Ord. No. 10072 (N.S.) adopted 9-15-10)

Solar Energy System, Onsite Use: A solar energy conversion system consistent with the requirements of section 6952 for onsite energy use. The energy generated is predominately used onsite.

(Added by Ord. No. 10072 (N.S.) adopted 9-15-10)

Special Area: That element of the zone which indicates, by means of a letter designator, the Special Area Regulations which apply to that zone.

Special Parking District: An area, described in Section 5761, where reduced off-street parking may be authorized.

(Added by Ord. No. 8407 (N.S.) adopted 5-18-94)

Special Purpose Zone: A zone including a use regulations set forth in Sections 2800 through 2979, inclusive.

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)

Specified Anatomical Areas:

1. Less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breasts below a point immediately above the top of the areolae; or
2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

Def. S

Specified Sexual Activities:

1. The fondling or other touching of human genitals, pubic region, buttocks, anus, or female breasts; or
2. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy; or
3. Masturbation, actual or simulated; or
4. Excretory functions as part of or in connection with any of the activities set forth in 1 through 3 above.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

Stable (See Horse Stable)

(Amended by Ord. No. 10285 (N.S.) adopted 9-11-13)

Stacked: (See Building Type, Residential)

Stand: A structure for the display and sale of farm products with no space for customers within the structure itself.

Stand-Alone: A building, use, or facility that is physically separated from or otherwise unconnected to other buildings, uses or facilities, and that is either: (i) located on a separate lot or parcel from other buildings, uses or facilities; or (ii) located on the same lot or parcel with other buildings, uses or facilities and has its own dedicated parking. A Stand-Alone building, use or facility has required parking that is computed and provided separately from other buildings, uses or facilities.

(Added by Ord. No. 10251 (N.S.) adopted 2-6-13)

Standard Mobilehome Park: (See Mobilehome Park, Standard)

(Added by Ord. No. 5612 (N.S.) adopted 10-10-79)

COMMERCIAL USE TYPES

1400 GENERAL DESCRIPTION OF COMMERCIAL USE TYPES.

Commercial use types include the distribution and sale or rental of goods; and the provision of services other than those classified as Civic Uses. They also include certain uses accessory to the above, as specified in Section 6150, Accessory Use Regulations.

1410 ADMINISTRATIVE AND PROFESSIONAL SERVICES.

The Administrative Professional Services use type refers to offices of private firms or organizations which are primarily used for the provision of professional, executive, management or administrative services. Typical uses include administrative offices, legal offices, or architectural firms.

1415 AGRICULTURAL AND HORTICULTURAL SALES.

The Agricultural and Horticultural Sales use type refers to sale from the premises of agricultural and horticultural goods.

- a. Agricultural Sales. Sale of feed, grain, fertilizers, pesticides and similar goods. Typical items include nurseries, hay, feed and grain stores.
- b. Horticultural Sales. Retail sale only of horticultural and floricultural specialties and related nursery items. Typical items include flowers, shrubs, trees and garden tools and supplies.

(Amended by Ord. No. 6284 (N.S.) adopted 5-5-82)

1420 AGRICULTURAL SERVICES.

The Agricultural Services use type refers to establishments or places of business engaged in the provision of agriculturally related services with incidental storage on lots other than where the service is rendered. Typical uses include crop dusting or tree service firms.

1425 ANIMAL SALES AND SERVICES.

Animal Sales and Services refers to establishments or places of business primarily engaged in animal related sales and services. The following are animals sales and services use types:

- a. Animal Sales and Services: Auctioning. Auctioning of livestock on a wholesale or retail basis with incidental storage of animals produced off property not exceeding 48-hour periods. The auctioning of miscellaneous related items may be conducted in conjunction with animal auctioning, if the auctioning of miscellaneous related items is conducted by the same operator as the animal auction, the number of days and hours of operation do not exceed those in which animal auctions are held, and the impacts resulting from the miscellaneous items auction activity do not exceed those of the animal auction. Typical uses include animal auctions or livestock auction yards.
- b. Animal Sales and Services: Grooming. Grooming of dogs, cats and similar small animals. Typical uses include dog bathing and clipping salons or pet grooming shops.
- c. Animal Sales and Services: Horse Stables. Boarding, breeding, raising, rehabilitation, riding training or performing of horses for commercial purposes. This does not include the private use of horses owned by the owners or the occupants of the premises allowed under section 1725 Animal Raising, such as Horsekeeping. Typical uses include boarding stables or public stables.
- d. Animal Sales and Services: Kennels. Kennel services for dogs, cats and similar small animals. Typical uses include boarding kennels, pet motels, dog daycare or dog training centers.
- e. Animal Sales and Services: Stockyards. Stockyard services involving the temporary keeping of transient livestock for slaughter, market or shipping. Typical uses include stockyards or animal sales yards.
- f. Animal Sales and Services: Veterinary (Large Animals). Veterinary services for large animals. Typical uses include animal hospitals (large animals) or veterinary hospitals (large animals). Boarding of animals or grooming of animals may be allowed as accessory to the veterinary use.
- g. Animal Sales and Services: Veterinary (Small Animals). Veterinary services for small animals. Typical uses include pet clinics, dog and cat hospitals or animal hospitals (small animals). Boarding of animals or grooming of animals may be allowed as accessory to the veterinary use.

(Amended by Ord. No. 7981 (N.S.) adopted 10-2-91)

(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)

(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)

(Amended by Ord. No. 10285 (N.S.) adopted 9-11-13)

1430 AUTOMOTIVE AND EQUIPMENT.

Automotive and equipment refers to establishments or places of business primarily engaged in automotive related or heavy equipment sales or service. The following are automotive and equipment use types:

- a. Automotive and Equipment: Cleaning. Washing and polishing of automobiles. Typical uses include auto laundries or car washes.

AGRICULTURAL USE TYPES

1700 GENERAL DESCRIPTION OF AGRICULTURAL USE TYPES.

Agricultural use types include the on-site production of plant and animal products by agricultural methods. They also include certain use accessory to the above as specified in Section 6150, Accessory Use Regulations.

1710 HORTICULTURE.

Horticulture refers to premises primarily devoted to horticultural and floricultural specialties such as flowers, shrubs, and trees intended for ornamental or landscaping purposes. The following are Horticulture use types:

- a. Horticulture: Cultivation. Cultivation of plants for wholesale sales.
- b. Horticulture: Storage. Storage of plants, primarily in containers, for wholesale sales.

1715 TREE CROPS.

The Tree Crops use type refers to premises primarily devoted to the cultivation for sale at wholesale of tree-grown agricultural products such as avocados, walnuts and citrus fruits.

1720 ROW AND FIELD CROPS.

The Row and Field Crops use type refers to premises primarily devoted to the cultivation for sale at wholesale of agricultural products grown in regular or scattered patterns such as vines, field, forage and other plant crops intended to provide food or fibers.

1725 ANIMAL RAISING.

The Animal Raising use type refers to premises where animals are fed or kept for personal use, animal products, animal increase, value increase, for 4-H or other agricultural organization projects by the owner or occupant of the premises. Typical uses include horsekeeping for personal use and chicken or cattle ranches.

(Amended by Ord. No. 10285 (N.S.) adopted 9-11-13)

1730 ANIMAL WASTE PROCESSING.

The Animal Waste Processing use type refers to the processing of animal waste and by-products, including but not limited to animal manure, animal bedding waste, and similar by-products of an animal raising agricultural operation, for use as a commercial fertilizer or soil amendment and including composting operations.

The Animal Waste Processing use type does not include poultry manure management practices involving drying and disposal of manure produced on site or brought to a poultry ranch from another poultry ranch owned or operated by the same person(s), provided the receiving site is zoned with an animal regulations designation which allows an unlimited number of poultry.

(Amended by Ord. No. 7817 (N.S.) adopted 9-26-90)

1735 PACKING AND PROCESSING.

Packing and Processing refers to packing and processing of fresh agricultural products and does not include cooking, canning, tanning, rendering and reducing operations which are general industrial uses. Following are categories of Packing and Processing use types:

- a. Packing and Processing: Limited. The customary preparation for market of fresh produce, flowers, feed, fiber, milk, eggs, rabbits, poultry and other similarly sized small or specialty animals raised for human consumption, produced on the same premises as the packing and processing operation. These products shall be considered to be produced on the same premises if they are solely grown or produced on land owned or operated by the same person who owns or operates the packing and processing facility.
- b. Packing and Processing: General. The customary preparation for market of fresh produce, flowers, feed, fiber, milk, eggs, rabbits, poultry and other similarly sized small or specialty animals raised for human consumption, produced on premises other than that upon which the packing and processing operation is located.
- c. Packing and Processing: Support. Fabrication, assembly, reconditioning and sale of boxes, cartons, crates and pallets for handling and transporting crops provided this use is secondary to agricultural or horticultural production on the premises.
- d. Packing and Processing: Winery. Crushing of grapes, berries and other fruits and fermentation, storage and bottling of wine from fruit grown on or off the premises. A Winery may also include a tasting room and retail outlet as secondary uses.
- e. Packing and Processing: Small Winery. Crushing of grapes, berries and other fruits and fermentation, storage and bottling of less than or equal to 120,000 gallon of wine per year. A Small Winery may also include a tasting room and retail outlet as secondary uses.
- f. Packing and Processing: Boutique Winery. Crushing of grapes, berries and other fruits and fermentation, storage and bottling of up to 12,000 gallons of wine per year. A Boutique Winery may also include a tasting room and retail outlet as secondary uses.
- g. Packing and Processing: Wholesale Limited Winery. Crushing of grapes, berries and other fruits for the fermentation, storage, bottling and wholesaling of up to 12,000 gallons of wine per year.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
 (Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)
 (Amended by Ord. No. 6134 (N.S.) adopted 7-22-81)
 (Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)
 (Amended by Ord. No. 7818 (N.S.) adopted 9-26-90)
 (Amended by Ord. No. 7982 (N.S.) adopted 10-02-91)
 (Amended by Ord. No. 9422 (N.S.) adopted 1-9-02)
 (Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)
 (Amended by Ord. No. 9940 (N.S.) adopted 6-18-08)
 (Amended by Ord. No. 10067 (N.S.) adopted 8-4-10)

3100 ANIMAL SCHEDULE.

Animal designators used within the Animal Regulations shall be limited to those in the following Animal Schedule. The Animal Schedule is incorporated into this section, and all references to this section shall include references to it.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
(Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)
(Amended by Ord. No. 6268 (N.S.) adopted 4-14-82)
(Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)
(Amended by Ord. No. 7432 (N.S.) adopted 1-06-88)
(Amended by Ord. No. 7740 (N.S.) adopted 3-28-90)
(Repealed and Reenacted by Ord. No. 8166 (N.S.) adopted 10-21-92)
(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)
(Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)
(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)
(Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)
(Amended by Ord. No. 10285 (N.S.) adopted 9-11-13)

Animal Schedule

(Part of Section 3100)

ANIMAL USE TYPE (See Note 4)	Restrictions and Density Range	DESIGNATOR																								
		A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	
ANIMAL SALES AND SERVICES:																										
HORSE STABLE (see Section 3130)	Permitted							X	X	X						X								X	X	
	Boarding of and riding lessons for up to 3 horses not owned by the property owner				X	X	X				X		X	X	X							X	X			
	10 Horses per acre of usable area up to 50 horses and 5 acres +Zoning Verification				X	X	X				X		X	X	X							X	X			
	10 Horses per acre of usable area up to 100 horses and 10 acres +Administrative Permit				X	X	X				X		X	X	X							X	X			
	More than 100 horses and more than 10 acres of usable area + by MUP				X	X	X				X		X	X	X							X	X			
KENNELS (see Note 1)	Permitted															X			X		X					
	Permitted provided fully enclosed							X	X	X																
	MUP required												X	X	X								X	X		
	ZAP required				X	X	X	X	X	X																
	One acre + by MUP	X	X	X																						
ANIMAL RAISING (see Note 6)																										
(a) Animal Raising Projects (see Section 3115)	Permitted							X	X	X															X	
	½ acre+ by ZAP				X	X	X				X		X	X	X	X	X						X	X		
	1 acre+ by MUP	X	X	X																						
(b) Small Animal Raising (includes Poultry) (See Note 8)	Permitted												X	X	X	X								X		
	½ acre+ permitted							X	X	X																
	100 maximum											X														
	25 maximum				X	X	X				X		X					X	X				X	X		
	½ acre+: 10 max	X	X	X																						
	Less than ½ acre: 100 Maximum							X	X	X																
	½ acre+ 25 max by ZAP	X	X	X																						
	Chinchillas (See Note 5)				X	X	X																	X		
(c) Large Animal Raising (Other than horsekeeping)	MUP required											X														
	4 acres + permitted															X							X			
	8 acres + permitted							X	X	X																
	2 animals plus 1 per ½ acre over 1 acre				X	X	X																	X		
	4 animals plus 4 for each ½ acre over ½ acre							X	X	X																
	1 ½ acres or less: 2 animals											X	X	X	X	X								X		
1 ½ to 4 acres: 1 per ½ acre											X	X	X	X	X								X			

ANIMAL USE TYPE (See Note 4)	Restrictions and Density Range	DESIGNATOR																									
		A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X		
(See Note 2)	4 acres+, 8 animals + 1 animal per 1 acre over 4 acres											X	X	X	X												
	2 animals										X						X	X	X				X		X		
	4 acres plus by MUP											X			X												
	½ acre plus 2 animals per ½ acre by ZAP	X	X	X																					X		
	Grazing Only																				X	X					
(d) Horse keeping (other than Animal Sales and Services; Horse Stables) (see Section 3130)	Permitted							X	X	X	X	X	X	X	X	X	X	X	X			X	X	X	X		
	2 horses + 1 horse per ½ acre over ½ acre + Administrative Permit	X	X	X	X	X	X																				
(e) Specialty Animal Raising: Bees (See Title 6, Division 2, Chapter 9, County Code) (See Note 7)	Permitted				X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
	ZAP Required	X	X	X																							
(f) Specialty Animal Raising: Wild or Undomesticated (See Note 3)	ZAP Required				X	X	X	X	X	X			X	X	X	X	X			X	X	X		X			
(g) Specialty Animal Raising: Other (Excluding Birds)	25 maximum				X	X	X				X	X	X				X	X	X	X	X		X		X		
	25 maximum by ZAP	X	X	X																							
	25 plus by ZAP				X	X	X				X	X	X	X			X			X	X	X	X		X		
	Permitted							X	X	X					X	X								X			
(h) Specialty Animal Raising: Birds	25 maximum				X	X	X					X					X	X	X	X	X						
	100 maximum							X	X	X	X	X					X						X				
	Additional by ZAP	X	X	X				X	X	X	X	X	X				X					X	X				
	Permitted													X	X	X								X	X		
(i) Racing Pigeons	100 Maximum										X	X											X				
	100 Max 1/acre plus																X										
	Permitted												X	X	X	X	X							X	X		
ANIMAL ENCLOSURE SETBACKS (See Section 3112)																											
Most Restrictive		X			X			X			X	X	X	X	X	X	X	X	X	X	X	X	X	X			
Moderate			X			X			X																		
Least Restrictive				X			X			X															X		

MUP = Major Use Permit

+ = plus

ZAP = Minor Use Permit

Notes:

1. Dogs and cats not constituting a kennel and up to two pot-belly pigs are accessory uses subject to the Accessory Use Regulations commencing at Section 6150 and are not subject to the animal enclosure setbacks.
2. On land subject to the "S" and "T" Animal Designators, grazing of horses, bovine animals and sheep permitted provided no buildings, structure, pen or corral shall be designated or used for housing or concentrated feeding of animals, and the number of such animals shall not exceed 1 animal per ½ acre of land.
3. One wild or undomesticated animal, kept or maintained in conformance with State and local requirements, is an accessory use subject to the Accessory Use Regulations commencing at Section 6150, and is not subject to the Animal Schedule. (Amended by Ordinance Number 7432 (N.S.) adopted January 6, 1988.)
4. The Animal Schedule does not apply to small animals, specialty animals, dogs or cats which are kept for sale in zones where the Retail Sales, General Use type is permitted provided that all activities are conducted entirely within an enclosed building, the building is completely soundproof, there are no outside runs or cages, no boarding of animals, no outside trash containers and no offensive odors.
5. Chinchillas are considered small animals except that a MUP may be approved for more than 25 chinchillas on property with the "L" Designator.
6. The number of animals allowed is per legal lot. This number shall not apply to the keeping of earthworms.
7. Beekeeping must be located at least 600 feet from any habitable dwelling unit, other than such dwelling unit owned by the person owning the apiary.
8. Additional regulations are applicable to the keeping of roosters, see County Code Section 62.690 et seq.

3112 ANIMAL ENCLOSURE SETBACK TABLE.

Notwithstanding the provisions of an applicable setback designator, enclosures containing the animal use types listed in Section 3100 shall have the minimum setbacks specified in the Animal Enclosure Setback Table. The Animal Enclosure Setback Table is incorporated into this section, and all references to this section shall include references to it. Animals subject to the Animal Setback Table must be confined within an appropriate enclosure. A pasture containing a minimum of 1 acre for use as a riding area or grazing area, having no interior fencing and not used as an animal enclosure for the permanent keeping of an animal is exempt from the animal enclosure setback requirements. Stables, barns, agricultural buildings and other structures located adjacent to or within an animal enclosure must meet both animal enclosure setbacks and setback regulations in section 4800.

ANIMAL ENCLOSURE LOCATION	ANIMAL ENCLOSURE SETBACKS		
	MOST RESTRICTIVE	MODERATE	LEAST RESTRICTIVE
Distance from Street Center Line	Same as for standard setback(a)	Same as for standard setback (a)	Zero (0) feet (from street line)
Distance from Interior Side Lot Line	10 feet	Five (5) feet	Zero (0) feet for open enclosure. Five (5) feet for roofed enclosure.
Distance from Rear Lot Line	10 feet	Zero (0) feet for open enclosure. Five (5) feet for roofed enclosure.	Zero (0) feet

NOTE:

- a. Refer to applicable setback designator and setback schedule at Section 4810.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
 (Amended by Ord. No. 7432 (N.S.) adopted 1-06-88)
 (Amended by Ord. No. 7740 (N.S.) adopted 3-28-90)
 (Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)
 (Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)
 (Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)
 (Amended by Ord. No. 10285 (N.S.) adopted 9-11-13)

3120 FEED LOTS FOR CATTLE.

- a. Purpose. The purpose of this section is to protect surrounding areas and uses from those concentrations of bovine animals which may adversely affect the public by noise, odors, flies, and other land use and environmental impacts.
- b. Requirement For Feed Lots. The operation of a feed lot for cattle is permitted only in areas subject to an "O" or "W" Animal Regulations designator on parcels of 4 acres or larger and in accordance with an approved Major Use Permit and the approval of the Regional Water Quality Control Board. As used herein, "feed lot for cattle" shall mean the following:

A confined livestock facility that operates for the purpose of feeding a high-concentrate feed to cattle wherein are confined 300 or more cattle at a density of more than thirty animals per acre of confined area, excluding dairies.
- c. Required Review and Findings. The body having jurisdiction over such Major Use Permit shall not approve the permit unless it has considered a report by the Commissioner of Agriculture/Weights and Measures, and in addition to the findings required by Section 7358, it is also found that the number and location of the cattle, and the manner in which they are kept, will not have any significant adverse land use or environmental impacts on adjoining areas or uses by reasons such as but not limited to noise, odors, dust or fly breeding.
- d. Permits Pursuant to County Code. Permits issued pursuant to former Sections 62.150 through 62.154, inclusive, and 62.170 through 62.179, inclusive, of the San Diego County Code, for property subject to this section shall be deemed to be Major Use Permits issued pursuant to this section and may be modified or revoked pursuant to the Use Permit Procedures.

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 6134 (N.S.) adopted 7-22-81)

(Amended by Ord. No. 7701 (N.S.) adopted 12-13-89)

3130

3130 HORSE STABLE AND HORSEKEEPING

The Horse Stable and Horsekeeping use types are permitted in areas with certain animal designators as indicated in Section 3100 Animal Schedule, and may be subject to the approval of, a Zoning Verification Permit, an Administrative Permit or a Major Use Permit, as specified below.

- a. D, E, F, J, L, M, N, U, and V Animal Designators allow a Horse Stable as follows:
1. Boarding of and riding lessons for up to 3 horses not owned by the property owner, on any property with the above animal designators is permitted without the need for a Zoning Verification, Administrative Permit or Major Use Permit. No other equine uses, such as breeding, riding academies or events are allowed with the Horse Stable. All structures, animal enclosures and uses are subject to all other regulations of this ordinance including the following limitations:
 2. Ten horses per acre of usable area, up to a maximum of 5 acres of useable area and a maximum of up to 50 horses may be allowed with a Zoning Verification Permit.
 3. Ten horses per acre of usable area, of more than 5 acres and up to a maximum of 10 acres of useable area and between 50-100 horses total may be allowed upon approval of an Administrative Permit.
 4. More than ten horses per acre of usable area, more than 10 acres of usable area or more than 100 horses shall require a Major Use Permit.
 5. The total number of horses and the usable acreage for horses calculated shall include both those horses allowed pursuant to Horsekeeping as well as the Horse Stable and all of the combined areas for both use types.
 6. Usable area. A plot plan for a permit shall clearly indicate the usable area for a project. The usable area as noted in the Animal Schedule shall be the area used by all horses on the lot or a combination of contiguous lots including structures, animal enclosures, riding arenas, corrals, stalls and paddocks used by horses. The usable area shall not include driveways, road easements, parking areas, areas within the animal enclosure setbacks, pastures exempt from animal enclosure setbacks, residences, other accessory structures, landscaping, areas with active agriculture and other areas where horses would not be permanently kept on the property.
 7. Horse Events. The temporary gathering of additional people and horses for a horse event, show or competition which is not a part of the active operations of a Horse Stable shall be considered an Outdoor Entertainment Event and may be allowed in compliance with the Temporary Use Regulations in Sections 6100-6149. However, additional events or time restrictions may be allowed as part of an Administrative Permit or Major Use Permit for a Horse Stable

8. Archaeological, historical or cultural resources. A proposed Horse Stable of more than 50 horses shall complete a full records search with the South Central Information Center (SCIC) when the application for an Administrative or Major Use Permit is submitted. The SCIC shall provide a recommendation regarding potential cultural resources and may recommend consultation with appropriate tribe(s).

In addition to the regulations contained in the Animal Enclosure Setback Table, Section 3112, a Horse Stable or Horsekeeping use shall comply with the following requirements:

b. Restrictions On Use:

1. A Horse Stable or Horsekeeping shall conform to the regulations contained in County Code Title 3, Division 6, Chapter 4, Noise Abatement and Control.
2. Dust and odors from the Horse Stable or Horsekeeping shall not create a nuisance or a hazard to adjoining properties or uses and shall be in compliance with this ordinance, including but not limited to section 6300 and specific sections 6316 regarding Particulate Matter and Air Contaminants and 6318 regarding Odors.
3. A Horse Stable or Horsekeeping shall conform to the standards and regulations for the humane treatment of equine animals found in County and State codes, including, but not limited to, State Health and Safety Code.
4. A Horse Stable or Horsekeeping shall maintain the use subject to standard best management practices for equine uses in compliance with the Grading, Stormwater and Watershed Protection Ordinances.

- c. A Horse Stable shall comply with the following requirements which shall be documented in a Manure Management Plan, Fire Protection Plan and Vector Control Plan:

Manure Management

1. The stable shall be kept in a clean and sanitary manner by the daily removal of manure to a manure management area from all usable horse areas to prevent the accumulation of flies, the spread of disease or offensive odor.
2. Manure shall be kept in the manure management area in a covered or enclosed bin or container unless being composted. Manure shall be removed from the property a minimum of every other week or properly composted onsite.
3. The manure management area shall meet Animal Enclosure setbacks.

Fire Protection

4. The interior of electrical appliances, such as fans and heaters, shall be kept clean.

5. Industrial grade extension cords are allowed only if the use of extension cords is unavoidable, for example for a temporary event. Extension cords shall not be used as a permanent electrical conduit.
6. Hay shall be stored in an enclosed building, a covered area or a covered bin, meeting Animal Enclosure and Main Building setbacks, and may consist of only dry, well-cured hay.
7. Rags and cloths used to clean tack and hooves shall be stored in an orderly fashion within an enclosed building or covered bin that meets the Animal Enclosure and Main Building setbacks. Bedding materials shall also be stored in the same location.
8. All wiring and electric cords shall be properly run and installed with insulated wiring routed and strung through metal conduits.
9. Light fixtures shall have a caged enclosure to prevent damage and sparking.
10. Large structures over 1000 square feet in area shall meet a minimum fire separation setback of 50 feet to reduce risk of fire between structures.
11. Hydrants shall be installed near each barn or main structure with sufficient hoses for watering all potential fire areas.
12. The electrical system shall allow for the power to be shut off to each building, without losing power to the water pumps.
13. Stables shall have a written fire plan and evacuation plan, which includes the limitations above and shall post it onsite for employees and visitors.

Vector Control

14. Recognizing the natural drainage on a property, structures permitted as part of a horse stable shall be located away from any locations that collect water. Feed, waste, standing water (water troughs), and other items attractive to vectors must regularly be cleared and cleaned.
15. Feed/grain areas must be covered and swept, droppings must be picked up daily, and manure piles, if not removed from the lot, must be routinely turned or tilled into pastures to prevent fly breeding areas.
16. Automatic fly spray devices or strips shall be utilized in building or structure areas.
17. To prevent vector infestations, all areas that would allow for standing water to collect, must be designed to fully drain within 72 hours. Water features such as ponds related to a horse stable must be stocked with mosquito fish.

- d. **Equine Living Area.** An equine shall be provided with adequate living facilities including an enclosed paddock, corral or stall for keeping. Such area shall be located within an animal enclosure or stable. Paddocks, corrals or stalls shall have enough room for the equine to move about and lay down without restriction.
- e. **A Horse Stable** may include an office, employee break area, full bathroom and other associated areas or structures related to a commercial use.
- f. **Employee Housing.** A Horse Stable may include a dwelling unit(s) for a stable employee(s) pursuant to the State Employee Housing Act. Employee housing is only allowed while a permitted stable is in operation. Prior to issuance of a Building Permit, the property owner shall enter into a contract with the County agreeing to specific terms and conditions limiting employee housing to bona-fide stable employees in conjunction with on-going stable operations.
- g. **Sign.** Pursuant to section 6252.v a sign is allowed for a Horse Stable at the entrance to the property to identify the stable or ranch name only. The sign shall not be illuminated.
- h. **Outdoor Lighting.** Pursuant to sections 6322 and 6324 outdoor lighting is allowed for an animal enclosure or stable. However, as noted, other than security lighting, the stable area shall not be illuminated between 10pm and dawn. Lighting must comply with Dark Skies limitations.
- i. **Setbacks.** Additional setbacks shall be required for a Horse Stable as follows:
 - 1. All storage areas of materials related to the horse stable use and parking shall meet the Animal Enclosure setbacks, this includes trailer parking, loading and delivery areas, hay storage, etc.
 - 2. Any structure permitted as part of a Horse Stable that is over 1000 square feet in area shall meet the standard setbacks and additionally meet a minimum 25 foot setback from all property lines. Such structures include barns, hay barns, covered arenas, covered riding areas, stables and other structures.
 - 3. On a lot or a combination of lots under the same ownership of less than 5 acres in area, Animal Enclosures and all structures associated with a Horse Stable shall be a minimum 50 feet from the nearest residence on any adjacent property under separate ownership.

(Added by Ord. No. 10285 (N.S.) adopted 9-11-13)

- i. On lots of one acre gross or larger but less than 2 acres, the combined area shall not exceed 1500 square feet or 25% of the living area of the principal residence, whichever is greater.
- ii. On lots of 2 acres or larger but less than 4 acres, the combined area shall not exceed 2000 square feet or 25% of the living area of the principal residence, whichever is greater.
- iii. On lots of 4 acres or larger, the combined area shall not exceed 3000 square feet or 25% of the living area of the principal residence, whichever is greater.

Buildings not meeting the setback requirement of Section 4842 are limited to a combined area of 1000 square feet.

- 3. Limited to one story not to exceed 12 feet maximum height. May have 2 stories and a height not exceeding 24 feet if the accessory structure meets the main building setbacks. If the structure is more than one story in height, that portion not used for the shelter or storage of vehicles shall be designed and used as habitable space defined by Section 6156.b or other approved use such as a guest living quarters.
 - 4. Additional area, height and story may be permitted by issuance of an Administrative Permit with notice provided pursuant to Section 7060c. and findings pursuant to Section 7358, subsections a. 1, 3, 5, and 6. The Administrative Permit shall not authorize height/stories exceeding the height/story limit specified by the applicable height/story designator. The Administrative Permit shall not authorize reductions to required setbacks. Reductions to setbacks shall be subject to Section 7100, Variances.
- h. Barns and Agricultural Storage Buildings shall be limited as follows:
- 1. In zones subject to a Residential Use Regulation (except RR Use Regulations requiring a 1 acre or larger lot area), and in the S88 Use Regulations where residential uses occur, a maximum floor area of 450 square feet and one story not to exceed 12 feet in height. Such buildings proposed in the S88 Use Regulations shall conform to the requirements of any applicable Specific Plan.

Buildings exceeding 12 feet in height are permitted if the structure meets the main building setbacks, provided the height does not exceed 24 feet. When on same lot as a detached private garage, workshop and/or storage building, the combined area of all such structures shall not exceed 1,000 square feet or 25% of the living area of the principal residence, whichever is greater.

2. In zones subject to the RR Use Regulations (requiring a one acre or larger lot area), A70, A72, and S92 Use Regulations, barns and agricultural storage buildings shall be limited in height to one story not to exceed 12 feet. Buildings exceeding 12 feet in height are permitted if the structure meets the main building setbacks, provided the height does not exceed 24 feet. A maximum floor area of 1000 square feet is permitted where the lot is less than one acre gross. A maximum floor area of 1500 square feet is permitted where the lot is one acre but less than 2 acres gross, and 2000 square feet is permitted where the lot is 2 to 4 acres gross. An additional 200 square feet of floor area is permitted for each acre over 4 acres up to a maximum of 5000 square feet.
 3. Additional area, height and story may be permitted by issuance of an Administrative Permit, with notice provided pursuant to Section 7060c. and findings pursuant to Section 7358, subsections a. 1, 3, 5, and 6. The Administrative Permit shall not authorize height/stories exceeding the height/story limit specified by the applicable height/story designator.
 4. A barn or agricultural building is not considered an animal enclosure. Therefore the animal enclosure area on a property is not included in the calculation of total barn square footage. A barn used as part of a commercial Horse Stable use is not considered an accessory structure for purposes of this section and therefore not included in or limited by this section.
- i. Offices. Offices are permitted only in zones subject to the A70, A72, S90, and S92 Use Regulations.
 - j. Coops and Aviaries. Any enclosure or structure where poultry or birds are kept outside a dwelling, subject to the limitations of Section 3100. Coops and aviaries shall meet the setbacks for Animal Enclosures pursuant to Section 3112 and shall be included in the total square footage allowed pursuant to subsection h.
 - k. Guest Living Quarters. In the A70, A72, RR, S90 and S92 Use Regulations, one guest living quarters is allowed on a legal lot. In the RS, RV, RU, RRO and S88 Use Regulations, one guest living quarters is allowed on a legal lot not less than 20,000 square feet in net area. One guest living quarters may be permitted in the RS, RV, RU, RRO and S88 Use Regulations upon issuance of an Administrative Permit on a legal lot which has a net area of less than 20,000 square feet. Guest living quarters are not permitted in other zones. Guest living quarters shall comply with all of the following requirements:
 1. The total floor area of a guest living quarters shall not exceed thirty percent (30%) of the square footage of the primary dwelling up to a maximum of 600 square feet. Additional area, up to 50% of the square footage of the primary dwelling, may be permitted with the approval of an Administrative Permit.

2. Only one electric meter to serve both the main dwelling and guest living quarters will be allowed.
3. Guest living quarters shall not be allowed on a lot or parcel having a second dwelling unit, accessory apartment or accessory living quarters. Conversion of such a unit into guest living quarters is allowed provided all zoning and structural requirements are met. If said accessory unit was permitted by a discretionary permit, said permit shall be modified as required by the appropriate section of the Zoning Ordinance.
4. Notice of guest living quarters Administrative Permit applications shall be given as provided in Section 7060(c).
5. Before any Administrative Permit may be granted or modified, it shall be found:
 - (a). That the location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures, with consideration given to:
 - (i). Harmony in scale, bulk, and coverage;
 - (ii). The harmful effect, if any, upon desirable neighborhood character;
 - (iii). The suitability of the site for the type and intensity of use or development which is proposed; and to
 - (iv). Any other relevant impact of the proposed use; and
 - (b). That the impacts, as described in paragraph "a" of this section, and the location of the proposed use will be consistent with the San Diego County General Plan.
 - (c). That the requirements of the California Environmental Quality Act have been complied with.

See subsection ii. for an illustrative matrix comparing Second Dwelling Units and Guest Living Quarters.

- I. Accessory Living Quarters. Repealed.

- m. Home Occupations. Home occupations, including in-home offices, shall be permitted in compliance with the following conditions:
1. There shall be no exterior evidence of the conduct of a home occupation.
 2. A home occupation shall be conducted entirely within a dwelling, or an attached garage.
 3. Electrical or mechanical equipment which creates visible or audible interference in radio or television receivers or causes fluctuations in line voltage outside the dwelling unit shall be prohibited.
 4. The residents of the dwelling unit, and no more than one non-resident employee, may be engaged in the home occupation.
 5. Limited indoor storage of goods or supplies (125 cubic feet maximum) may take place within no more than one room of the dwelling and/or in the attached garage (provided required parking on-site is maintained and properly located).
 6. There shall be no on-premise sale of goods. Occasional transport of goods from the premises for off-site sale may occur. Internet sales are not considered on-premise sale of goods.
 7. The establishment and conduct of a home occupation shall not change the principal character or use of the dwelling unit or property involved.
 8. There shall be no signs identifying or advertising the home occupation other than those permitted by Section 6252(d) of this ordinance.
 9. The required residential off-street parking shall be maintained.

10. A home occupation shall not create vehicular or pedestrian traffic in excess of that which is normal for the zone in which it is located.
 11. No more than six non-resident students at one time, and no more than 18 students during any one (1) day may be given tutoring in music, academics, dance, sports (such as swimming or tennis, notwithstanding subsection 1 and 2 above), or other subjects at a residence. No students may be given instruction between the hours of 9:00 p.m. and 8:00 a.m. All provisions of Noise Abatement and Control, Section 36.401 et seq. of the County Code, shall apply.
- n. Dog, Cat and Pot-Belly Pig Keeping. The keeping of dogs and cats (but not including kennels) and the keeping of up to two pot-belly pigs, provided that the keeping of more than two pot-belly pigs shall be subject to Section 3100, Large Animal regulations.
 - o. Day Care/Boarding. Day care, or boarding for 6 or fewer individuals, provided that no such day care or boarding facility may be owned, operated, managed, or leased by any person, as defined by these regulations, within one mile of any other such facility owned, operated, managed, or leased by the same person.
 - p. Family Care Homes. A family care home, provided that no family care home (other than a foster family home or a residential care facility for the elderly as referenced in Section 1520.5(f) of the California Health and Safety Code) may be operated within 300 feet of any other such home, family care institution or group care facility.
 - q. Roadside Sales of Agricultural Products. Operation of an agricultural stand for the display and sale of agricultural products produced on the premises shall be permitted only as follows:
 1. Agricultural stands are permitted only in the RR Use Regulations on lots one acre or larger, and in the A70, A72, S90 and S92 Use Regulations.
 2. Said stand shall be located no nearer than 15 feet from the edge of any street or highway right-of-way.
 3. Said stand shall be operated by the owner or tenant of the property upon which the stand is located,
 4. Agricultural products produced on other premises owned or leased by the same property owner or tenant may be displayed and sold from said stand.
 5. The total roofed area of said stand, including all areas used for display or storage for all products, shall not exceed 300 square feet.

6. No agricultural produce shall be sold from a motorized vehicle.
 7. Cold storage shall be allowed only when accessory to the on-site farming operation and used only for storage of crops grown by the person(s) farming the parcel.
 8. Incidental sale of items related to the sale or use of agricultural products (not to exceed 10% of the stand area), including horticultural products, may also take place provided any applicable health regulations are complied with.
 9. No commodities other than those listed above may be sold from a produce stand except as allowed by Food and Agricultural Code section 47050.
 10. A produce stand may sell only those ornamental plants that are grown on the same lot as such stand is located.
- r. Wild Animal Keeping. The keeping of not more than one wild animal kept and maintained in conformance with State and local requirements.
- s. Earthworms or Vermiculture. The raising of earthworms or the practice of vermiculture provided that:
1. No sales are advertised or made on the premises unless permitted by the use regulations.
 2. Odors and/or fly-breeding are not greater than customarily found at a well-maintained residence.
 3. The vermiculture area shall utilize household or garden waste or materials that are produced on the site. Importing of waste or other materials from another property shall be prohibited.
 4. The volume of raw or composted decomposable organic and bedding materials shall not exceed that which is reasonably necessary to the production of the worms raised on the site.
- t. Retail Sales of Stable Gear. The retail sale of stable gear, provided that such sales are incidental and subordinate to the use of conforming public stables or equestrian facilities on the premises, and there is no exterior advertising of the accessory use. No such accessory use shall occupy more than 10 percent (10%) or not to exceed 1,000 square feet, whichever is less, of the total floor area of enclosed buildings permitted by right and devoted to such public stable or equestrian facility. Where such public stables or equestrian facilities are permitted by use permit, the total floor area of the accessory use shall be regulated by such permit.

- u. Farm Employee Housing. In the RR, A70, A72, S80, S87, S88, S90, and S92 Use Regulations, farm employee housing is an allowed accessory use to Commercial Agriculture on the same parcel on which the housing is located or on another parcel under the same ownership, provided that:
1. The number of living units is reasonably related to the number of farm employees required for commercial agriculture on the parcel on which the farm employee housing is located and, where applicable, on other land owned or leased and farmed by the applicant.
 2. Consideration shall be given to surrounding land uses when determining the location, size and design of Farm Employee Housing.
 3. Farm employee housing shall be occupied only by farm employees (and their families) engaged in Commercial Agricultural labor and shall not be otherwise occupied or rented.
 4. If Commercial Agriculture is not in progress at the time of application for an Administrative Permit, the Permit shall be conditioned to require review to ensure that bona-fide commercial agriculture commences within a reasonable time.
 5. Farm employee housing shall be removed or converted to another allowed use at such time as the commercial agriculture to which it relates ceases operation for more than twelve consecutive months-following the date of occupancy on the building permit issued for the farm employee housing.
 6. Contract. For any application for farm employee housing which is subject to the waiver of fees pursuant to Section 7602.d.5, prior to the approval issuance of the Administrative Permit, the property owner shall enter into a contract with the County agreeing to specific rental terms and conditions which make low cost housing available to farm employees and will allow for periodic inspections of the housing by County employees. The form of the contract shall have been approved by the Board of Supervisors.
 7. On an annual basis, the property owner must file a certificate with the Director of the Department of Planning and Development Services stating that the commercial agricultural operation is still taking place on the property and that the tenants are employed as farm employees and thereby renew the agricultural certificate for the farm employee housing. Failure to file the certificate will be interpreted as indicating the commercial agriculture has ceased operation and may be the basis for building permit revocation.

8. **Contract.** Prior to the issuance of a Building Permit, the property owner shall enter into a contract with the County agreeing to specific terms and conditions limiting farm employee housing to bona-fide farm employees and their families in conjunction with on-going agricultural operations. The form of the contract shall have been approved by the Board of Supervisors.
9. **Evidence of Commercial Agriculture.** Prior to submittal of the Building Permit application for Farm Employee Housing the property owner shall provide appropriate evidence to the satisfaction of the Director of Planning and Land Use of an active Commercial Agricultural Operation. A Horse Stable or Horsekeeping are not considered evidence of Commercial Agriculture for Farm Employee Housing.
10. In the RS, RD, RM, RV, RU, RMH, RRO, RC, C32, C34, C35, C36, C37, C38, C40, C42, C44, C46, M50, M52, M54, M58, S82, S86, and S94 Use Regulations, farm employee housing is allowed upon issuance of an Administrative Permit, provided that it complies with the provisions of 6156 u. 1 through 8, and before an Administrative Permit may be granted or modified, it shall be found:
 - a. That the location, size, design, and operating characteristics of the proposed use will be compatible with adjacent uses, residents, buildings, or structures, with consideration given to:
 - 1) Harmony in scale, bulk and coverage;
 - 2) The availability of public facilities, services and utilities;
 - 3) The harmful effect, if any, upon desirable neighborhood character;
 - 4) The generation of traffic and the capacity and physical character of surrounding streets;
 - 5) The suitability of the site for the type and intensity of use or development which is proposed; and to
 - 6) Any other relevant impact of the proposed use.

- b. That the impacts, as described in paragraph "a" of this section, and the location of the proposed use will be consistent with the San Diego County General Plan.
 - c. That the requirements of the California Environmental Quality Act have been complied with.
 - d. That notice shall be pursuant to Section 7060.c. No hearing is required unless requested by the applicant or other affected person pursuant to Section 7060.d.
- v. Horticultural Sales. In all residential, agricultural, and S88, and S92 Use Regulations, the retail sale of horticultural and floricultural products and their related gardening items in conjunction with and upon the premises of a growing nursery is permitted upon issuance of a Minor Use Permit.
- w. Accessory Apartments (Elderly/Handicapped/Family Member). Repealed.
- x. Second Dwelling Units. In zones where the Family Residential use type is allowed by right, a second dwelling unit is allowed on a legal lot containing an existing single family detached residence, or to be constructed concurrently with a primary single family detached residence, provided the following requirements are complied with:
 - 1. The second dwelling unit shall be either attached to the primary unit, wholly or partially integrated into the primary unit, or detached from the primary unit. The second unit may be attached to another permitted accessory building, except for those accessory units or other accessory buildings specified in paragraph 4, 5 or 6 below.
 - 2. Applicable requirements of the building and other codes and of The Zoning Ordinance shall apply to second dwelling units. No Variances shall be granted in order to provide for the second unit.
 - 3. A lot shall contain at least the minimum net area as required by the applicable zoning to qualify for a second dwelling; however, no second dwelling unit shall be permitted on a lot with a net area of less than 20,000 square feet, except pursuant to paragraph 12 below. If a legal lot is at least 1 net acre in size and does not contain at least the minimum net area as required by the applicable zoning, a second dwelling unit may be permitted pursuant to paragraph 12 below.

However, if the lot proposed for a second dwelling is groundwater dependent the minimum size must be twice that required by the residential density controls of Section 67.722 A of the County Groundwater Ordinance unless an exception is granted pursuant to Section 67.750 (c) of that Ordinance.

4. Second dwelling units shall not be allowed on a lot or parcel with a guest living quarter, accessory living quarter, or accessory apartment. Conversion of such quarters into a second dwelling unit is allowed provided all applicable zoning and other code requirements are met, and subject to the following procedures:
 - i. Application for modification of the Administrative Permit or Minor Use Permit that authorized the accessory unit proposed for conversion to a second dwelling unit (if an Administrative Permit is required to establish the Second Dwelling Unit pursuant to paragraph 12 below) and application for any other applicable permits; or
 - ii. If no Administrative Permit is required to establish a second dwelling unit, and an Administrative or Minor Use Permit was approved to authorize the accessory unit proposed for conversion to a second dwelling unit, a request to rescind the existing Administrative or Minor Use Permit may be submitted in addition to an application for building permit and any other applicable permits; or
 - iii. If no Administrative or Minor Use Permit was required to authorize the accessory unit proposed for conversion (Guest Living Quarters in certain use regulations), by application for a building permit and any other applicable permits; or
 - iv. If the accessory unit proposed for conversion was established illegally, by application pursuant to this subsection "4" as if a new second dwelling unit was being proposed.
5. Second dwelling units with a living area exceeding 640 square feet shall comply with the parking requirements for Family Residential under Section 6758. Second dwelling units with a living area not exceeding 640 square feet shall provide one additional off-street parking space. Said additional parking spaces shall not be in tandem with existing spaces. If establishment of the second dwelling unit involves a garage conversion, replacement covered off-street parking shall be provided concurrently. A garage or carport attached to the second dwelling unit shall not exceed 480 square feet of gross floor area. Additional garage area attached to the second dwelling unit may be permitted pursuant to paragraph 12 below. No other structures defined by Section 6156.b shall be attached to a second dwelling unit. No other structures defined by Section 6156.h shall be attached to a second dwelling unit unless approved pursuant to paragraph 12 below.
6. The living area of a second dwelling unit shall not exceed 30 percent of the living area of the existing unit, up to a maximum floor area of 1,200 square feet, except pursuant to paragraph 12 below. However, a second dwelling unit of up to 400 square feet is permitted (even if that figure exceeds 30 percent of the size of the primary dwelling). No other habitable space shall be attached to a detached second dwelling unit.

(Amended by Ord. No. 6782 (N.S.) adopted 5-16-84)
 (Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)
 (Amended by Ord. No. 6857 (N.S.) adopted 10-10-84. Opr. 1-1-85)
 (Amended by Ord. No. 6924 (N.S.) adopted 2-20-85)
 (Amended by Ord. No. 6983 (N.S.) adopted 7-03-85)
 (Amended by Ord. No. 7048 (N.S.) adopted 10-09-85)
 (Amended by Ord. No. 7110 (N.S.) adopted 4-02-86)
 (Amended by Ord. No. 7117 (N.S.) adopted 4-23-86)
 (Amended by Ord. No. 7160 (N.S.) adopted 6-18-86)
 (Amended by Ord. No. 7220 (N.S.) adopted 10-22-86)
 (Amended by Ord. No. 7306 (N.S.) adopted 5-20-87)
 (Amended by Ord. No. 7363 (N.S.) adopted 8-19-87)
 (Amended by Ord. No. 7432 (N.S.) adopted 1-06-88)
 (Amended by Ord. No. 7515 (N.S.) adopted 7-13-88)
 (Amended by Ord. No. 7576 (N.S.) adopted 1-11-89)
 (Amended by Ord. No. 7740 (N.S.) adopted 3-28-90)
 (Amended by Ord. No. 7743 (N.S.) adopted 3-28-90)
 (Amended by Ord. No. 7768 (N.S.) adopted 6-13-90)
 (Amended by Ord. No. 7790 (N.S.) adopted 08-01-90. This ordinance will expire on August 31, 1993, unless extended in connection with GPA 93-02)
 (Amended by Ord. No. 7817 (N.S.) adopted 9-26-90)
 (Amended by Ord. No. 8050 (N.S.) adopted 4-8-92)
 (Amended by Ord. No. 8058 (N.S.) adopted 4-15-92)
 (Amended by Ord. No. 8086 (N.S.) adopted 6-16-92)
 (Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)
 (Amended by Ord. No. 8271 (N.S.) adopted 6-30-93)
 (Amended by Ord. No. 8409 (N.S.) adopted 6-1-94)
 (Amended by Ord. No. 8502 (N.S.) adopted 3-1-95)
 (Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)
 (Amended by Ord. No. 8599 (N.S.) adopted 10-11-95)
 (Amended by Ord. No. 8698 (N.S.) adopted 7-17-96)
 (Amended by Ord. No. 8805 (N.S.) adopted 6-4-97)
 (Amended by Ord. No. 8897 (N.S.) adopted 3-18-98)
 (Amended by Ord. No. 9156 (N.S.) adopted 6-14-00)
 (Amended by Ord. No. 9377 (N.S.) adopted 8-8-01)
 (Amended by Ord. No. 9470 (N.S.) adopted 6-12-02)
 (Amended by Ord. No. 9569 (N.S.) adopted 7-9-03)
 (Amended by Ord. No. 9596 (N.S.) adopted 9-17-03)
 (Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)
 (Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)
 (Amended by Ord. No. 9958 (N.S.) adopted 12-10-08)
 (Amended by Ord. No. 9982 (N.S.) adopted 4-22-09)
 (Amended by Ord. No. 10003 (N.S.) adopted 8-5-09)
 (Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)
 (Amended by Ord. No. 10006 (N.S.) adopted 9-16-09)
 (Amended by Ord. No. 10073 (N.S.) adopted 9-15-10)
 (Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)
 (Amended by Ord. No. 10162 (N.S.) adopted 8-3-11)
 (Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)
 (Amended by Ord. No. 10222 (N.S.) adopted 9-25-12. Opr. 11-26-12)
 (Amended by Ord. No. 10261 (N.S.) adopted 5-15-13)
 (Amended by Ord. No. 10285 (N.S.) adopted 9-11-13)

6158 CIVIC, COMMERCIAL, INDUSTRIAL, OR EXTRACTIVE USE TYPES.

Accessory structures and uses necessarily and customarily associated with, and appropriate, incidental and subordinate to the principal civic, commercial, industrial or extractive uses shall be permitted where the principal civic, commercial, industrial or extractive uses are permitted. As provided for in Section 6152, the Director shall determine whether proposed accessory uses and structures conform to the Accessory Use Regulations, and said determinations are subject to appeal pursuant to the Administrative Appeal Procedure commencing at Section 7200.

Subject to the restrictions and limitations specified, the following accessory buildings and uses shall be permitted in zones where Civic, Commercial, Industrial, or Extractive Use Types are permitted:

a. Outdoor Café Seating and Sidewalk Cafés.

1. Outdoor Café Seating. Outdoor café seating accessory to the Eating and Drinking Establishments use type is permitted in the Fallbrook Village Regulations, C32, C34, C35, C36, M50 and M52 use regulations, and outdoor café seating accessory to the Food and Beverage Retail Sales use type is permitted in the Fallbrook Village Regulations, C32, C34, C35, C36 and M50 use regulations, subject to the following conditions:

- i. The outdoor seating area shall be limited in size as follows:

- (a) In Eating and Drinking Establishments to no more than 200 square feet or 25 percent of the establishment's indoor floor area, whichever is greater.
 - (b) In Food and Beverage Retail Sales uses (e.g., bakeries, markets, etc.) to no more than 25 percent of the establishment's indoor floor area or 1000 square feet, whichever is less. However, any such Food and Beverage Retail Sales use that otherwise qualifies under Section 6158 a.1. may have an outdoor seating area of 200 square feet.

- s. One sign not exceeding 32 square feet offering premises for sale or lease, shall be permitted along each frontage, except that for any frontage in excess of 500 feet, a sign not exceeding 64 square feet shall be permitted. No sign shall exceed a height of 12 feet. In residential zones, such signs are limited to 4 square feet in area and a maximum height of 6 feet.
- t. Temporary construction site signs, provided that all of the following conditions hold:
 - 1. One nonilluminated sign having a total area of not more than 160 square feet shall be permitted along each frontage; except that 2 such signs may be placed along a frontage having a length in excess of 500 feet.
 - 2. Such signs may be either freestanding or wall signs or may be mounted on a temporary construction fence, and shall be permitted only for the duration of the construction with which associated. Such signs will not be subject to the regulations applicable to freestanding signs or wall signs.
 - 3. Such signs may not exceed a height of 20 feet.
- u. One sign less than or equal to 12 square feet in area for an allowed roadside sales stand, wholesale nursery, Small Winery or Boutique Winery identifying and advertising agricultural products produced on the premises.
- v. One identification sign up to 20 square feet identifying a residential development, multiple dwellings, a horse stable, clubs and similar uses on each street frontage affording primary access to the site.
- w. Identification signs up to a total of 40 square feet identifying hotels, motels, hospitals, parking garages, institutions of religious, educational, philanthropic or charitable nature, and resort service uses subject to the Resort Services Regulations at Section 6400.
- x. For any use type allowed by the granting of a major use permit, placement, number, and size of on-premise signs shall be determined by the conditions of approval of the major use permit.
- y. Signs for recycling facilities provided that all of the following conditions hold:
 - 1. Recycling facilities may have identification signs with a maximum area of 20 percent of each receptacle side or 16 square feet, whichever is smaller. In the case of a wheeled receptacle, the side shall be measured from the pavement to the top of the receptacle;
 - 2. Directional signs, bearing no advertising message, may be installed with the approval of the Director if necessary to facilitate traffic circulation, or if the facility is not visible from the public right-of way;

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3. The Director may authorize increases in the number and size of signs upon finding that such increases are compatible with adjacent businesses.
- z. In each instance and under the same conditions as this chapter permits any sign, a sign containing an ideological, political or other non-commercial message and constructed to the same physical dimensions and characteristic shall be permitted.

(Amended by Ord. No. 6389 (N.S.) adopted 7-7-82)
(Amended by Ord. No. 6543 (N.S.) adopted 3-2-83)
(Amended by Ord. No. 6691 (N.S.) adopted 11-30-83)
(Amended by Ord. No. 6983 (N.S.) adopted 7-03-85)
(Amended by Ord. No. 7740 (N.S.) adopted 3-28-90)
(Amended by Ord. No. 8058 (N.S.) adopted 4-15-92)
(Amended by Ord. No. 9472 (N.S.) adopted 5-12-02)
(Amended by Ord. No. 9958 (N.S.) adopted 12-10-08)
(Amended by Ord. No. 10067 (N.S.) adopted 8-4-10)
(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)
(Amended by Ord. No. 10285 (N.S.) adopted 9-11-13)

6259 PORTABLE ON-PREMISE SIGNS PROHIBITED.
Portable on-premise signs shall be prohibited.

6261 ON-PREMISE SIGNS REGULATED.

Except for the signs specified in Sections 6252, 6259, 6268 and 6269, on- premise signs may be erected, constructed, placed, created by painting, structurally altered, relocated or maintained provided that a building permit has been issued subject to the following provisions:

- a. Permitted Locations. On-premise signs may be placed in the following locations, unless prohibited:
 1. On premises subject to the C34, C35, C36, C37, C38, C40, C42, C44, M50, M52, M54, and M58 Use Regulations.
 2. On premises in any zone where a nonconforming commercial or industrial use type exists.
 3. Fallbrook Village Zones.
- b. Restricted Locations. Locations subject to Special Area Regulations and to use permits shall be additionally subject to the following limitations:
 1. On-premise signs are permitted in zones subject to the Scenic Area Regulations or Historic/Archaeological Landmark and District Area Regulations in accordance with an approved Site Plan. The aggregate area of all signs for any premises shall not exceed one square foot for each linear foot of street frontage. The aggregate sign area for each establishment shall not exceed one square foot for each linear foot of building. No establishment shall have an aggregate sign area greater than 100 square feet.

3. Rear or Interior Side Yards. Permitted up to a maximum height of 72 inches.
- c. Tennis Court Fencing and Lighting. Tennis court fencing exceeding the height otherwise allowed by this Section, but not greater than twenty (20) feet in height, and lighting standards not greater than twenty (20) feet in height may be permitted on lots of one (1) gross acre or larger in size upon granting an exception in accordance with Section 6708h.
 - d. Gates and Gate Entry Structures on Individual Lots or Building Sites. Gates, not exceeding 12 feet in height, and gate entry structures on individual lots or building sites are permitted. Gate entry structures on individual lots or building sites shall meet the criteria shown below. An exception to these criteria may be granted in accordance with Section 6708h. Where the County Fire Code and Local Fire District Ordinances require additional restrictions; the most restrictive requirements shall apply.
 1. Main Building Area. Permitted up to the maximum height applicable to the main building.
 2. Front, Rear, Interior or Exterior Side Yard. Permitted, provided no higher than 12 feet and located a minimum of 10 feet from the nearest edge of any public road right-of-way or private road easement which intersects the access to the gate entry structure. Support elements designed as entry structures on either side of a fence opening that provides vehicular access may extend a horizontal distance of not more than 15 feet on both sides of the opening and may not exceed 12 feet in height for more than a distance of 6 feet on either side of the opening. Such entry structures may incorporate a gate house not exceeding 12 feet in height, but may not bridge the entryway unless an exception is granted in accordance with Section 6708h.
 3. For Fire Protection Access, gate entry structures shall provide a minimum vertical clearance of 13 feet, 6 inches for vehicles. (Note: The County Fire Code and Local Fire District Ordinances regulate entry gates or other obstructions across fire access roadways and driveways. Gate entry structures fall under the County Fire Code and must be reviewed by the appropriate Fire Agency.)
 - e. Gates and Gate Entry Structures Across Private Road Easements. Gates not exceeding 12 feet in height, and gate entry structures across private road easements are permitted. Gate entry structures on private road easements shall meet the criteria shown below. An exception to these criteria may be granted in accordance with Section 6708h.
 1. Gate entry structures shall not exceed a height of 12 feet; and
 2. Gate entry structures shall be located at least 50 feet from any road right-of-way or road easement which intersects the gated access; and
 3. Gate entry structures shall not extend a horizontal distance of more than 15 feet on either side of the gate opening and may not exceed 12 feet in height for more than a distance of 6 feet on either side of the opening.

4. For Fire Protection Access, gate entry structures shall provide a minimum vertical clearance of 13 feet, 6 inches for vehicles. (Note: The County Fire Code and Local Fire District Ordinances regulate entry gates or other obstructions across fire access roadways and driveways. Gate entry structures fall under the County Fire Code and must be reviewed by the appropriate Fire Agency.)
 5. Prior to issuance of a building permit, written consent shall be obtained for the gate or gate entry structure, and submitted to the Department (on a form satisfactory to the Department), from all owners of property with access rights across the private road easement upon which the gate is to be installed.
- f. Lighting. Lights and/or decorative fixtures may be placed on the top of pilasters or fence posts on both sides of each entry, at property corners, and elsewhere along a fence or wall spaced a minimum of 40 feet apart. Such fixtures may extend 12 inches above the top of the supporting post or they may extend up to a height equal to the width of a supporting pilaster (or post), to a maximum of 24 inches, whichever is greater. Such lighting shall conform to the provisions of subsections a., b. and c. of Section 6324 (LIGHTING PERMITTED IN REQUIRED YARDS). Exceptions to these criteria may be granted in accordance with Section 6708h.
- g. Fences and Walls For Animal Enclosures. The location of fences and walls which confine animals shall conform to the Animal Regulations commencing at Section 3000.
- h. Exceptions.
1. Fences, Walls and Gate Entry Structures on Individual Lots. The Director may approve an administrative permit granting an exception to the applicable criteria otherwise specified in this Section for fences (including animal enclosures or tennis court fences), walls and gate entry structures on individual lots. The Administrative Permit Procedure at Section 7050 through Section 7099 shall apply. Notice of the administrative permit application shall be given to all property owners within a distance of 300 feet from the applicant's property. The Director may approve said administrative permit provided the following findings are made:
 - i. The structure will be compatible with the community character and will not be detrimental to the health, safety or general welfare of the surrounding properties or the neighborhood; and
 - ii. The structure will not interfere with traffic circulation, create a safety hazard or obstruct future road widening.
 2. Gate Entry Structures and Gate Houses on Private Easements. The Director may approve an administrative permit granting an exception to the applicable criteria otherwise specified in this Section for gate entry structures and gate houses on a private easement. The applicant shall provide notice materials in accordance with Section 7060c. in order to notify all property owners having legal access to the easement upon which the gate entry structure or gate house will be located. The Director may approve said administrative permit provided the following findings are made:

- i. The structure will be compatible with the community character and will not have a harmful effect upon the neighborhood; and
 - ii. The structure will not be detrimental to the health, safety or general welfare of the surrounding properties or improvements.
 - 3. Lighting. The Director may approve an administrative permit granting an exception to the applicable criteria otherwise specified in this Section for lighting provided a finding is made that said lighting will be compatible with the community character and will not have a harmful effect upon the neighborhood.
 - i. Administrative Exceptions for Additional Fence or Wall Height. An administrative exception for fence heights up to 7 feet 6 inches in interior side yard setbacks or in rear yard setbacks not abutting a street, private thoroughfare, or alley, may be granted provided the following requirements are met:
 - 1. Written consent is obtained for the proposed additional fence height, and submitted to the Department (on a form satisfactory to the Department), from all owners of contiguous property (including owners of parcels or lots across any street or alley from the site proposed for fencing).
 - 2. An application form shall be submitted and a processing/record-keeping fee shall be collected at the time an administrative exception for additional fence height is requested, pursuant to the fee referenced in Section 7602.
- Any decision by the Director pursuant to this section shall be final.
- j. Open Fences With Razor Wire or Barbed Wire at Top - Calculation of Fence Height. Where open fences 72 inches in height or greater are permitted, razor wire and barbed wire attached to support elements extending from the top of an open fence at an angle from the vertical are permitted except where said razor wire and barbed wire are not permitted in Subsection b.2. of this Section. The portion of the fence consisting of razor wire or barbed wire attached to support elements extending from the top of an open fence at an angle from the vertical, shall not be used in calculating the height of such a fence provided the vertical height of said razor wire and/or barbed wire shall not exceed 2 feet.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)
 (Amended by Ord. No. 6134 (N.S.) adopted 7-22-81)
 (Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)
 (Amended by Ord. No. 7432 (N.S.) adopted 1-06-88)
 (Amended by Ord. No. 7576 (N.S.) adopted 1-11-89)
 (Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)
 (Amended by Ord. No. 8246 (N.S.) adopted 5-19-93)
 (Amended by Ord. No. 8425 (N.S.) adopted 7-13-94)
 (Amended by Ord. No. 8599 (N.S.) adopted 10-11-95)
 (Amended by Ord. No. 9676 (N.S.) adopted 9-22-04)
 (Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)
 (Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)
 (Amended by Ord. No. 10204 (N.S.) adopted 3-28-12)
 (Amended by Ord. No. 10285 (N.S.) adopted 9-11-13)

6714 REQUIRED LANDSCAPING.

In all zones, properties shall be landscaped and maintained in accordance with the provisions of the County Code sections 86.701 et seq. and the conditions of any applicable discretionary permit. The following landscaping shall also be required:

- a. **M50 and M52 Use Regulations.** In all zones subject to M50 and M52 Use Regulations, a landscaped strip at least 10 feet wide shall be established in every front yard; and a landscaped strip at least 5 feet wide shall be established in every exterior side yard, and in every interior side yard and rear yard adjacent to each public place, and adjacent to all abutting property in any residential zone, except for necessary ways of ingress and egress. The landscape strips shall include dense view-obscuring screening at least 6 feet in height in side or rear yard landscape strips, and 42 inches high in front yard landscape strips. The landscape strips shall be subject to the requirements of San Diego County Code sections 86.701 et seq.
- b. **Mobilehomes Parks and Planned Developments With Mobilehomes.** In a mobilehome park developed pursuant to the Mobilehome Park Regulations commencing at Section 6500 or a planned development contained mobilehomes developed pursuant to the Planned Development Regulations commencing at Section 6600, all areas not used for permitted main or accessory buildings, interior access drives, pedestrian circulation, and service areas shall be completely and permanently landscaped and maintained in accordance with the provisions of San Diego County Code sections 86.701 et seq. and the conditions of the applicable use permit. The mobilehome park or planned development containing mobilehomes shall relate harmoniously to the topography of the site, and where feasible make suitable provisions for preservation of water courses, wooded areas, rough terrain and similar natural features and areas, and shall otherwise be so designed as to use such natural features and amenities to best advantage.
- c. **Commercial Activities in Residential Zones.** In all residential zones the required front and exterior side yards of lots or parcels on which commercial use types are conducted shall be landscaped in accordance with the provisions of sections 86.701 et seq. of the County Code.

(Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)

(Amended by Ord. No. 10031 (N.S.) adopted 1-13-10)

(Amended by Ord. No. 10095 (N.S.) adopted 12-8-10)

Type of Occupancy Use or Structure	Off-Street Parking
<div>Boat Launch Ramp</div> <div>Bicycle Parking</div>	<div>10 Parking spaces per ramp plus 10 Parking spaces (10' wide x 45' long) for vehicles with boat trailers</div> <div>Individual sports and recreational uses shall include bicycle racks to accommodate 0.05 bike space per car space but not less than 5 bicycle spaces</div>
<div>Bowling Alley</div> <div>Bicycle Parking</div>	<div>6 Parking spaces per alley (Plus requirements for accessory uses)</div> <div>0.1 Bike space per car space but not less than 3</div>
<div>Driving Range</div> <div>Bicycle Parking</div>	<div>The Sum of the Following: 1 Parking space per tee plus 1 Parking space per employee but not less than 3 (Largest work shift) (Plus requirements for accessory uses)</div> <div>0.05 Bike space per car space but not less than 3</div>
<div>Golf Course</div> <div>Bicycle Parking</div>	<div>6 Parking spaces per hole (Plus requirements for accessory uses)</div> <div>0.05 Bike space per car space but not less than 3</div>
<div>Miniature Golf Course</div> <div>Bicycle Parking</div>	<div>3 Parking spaces per hole</div> <div>0.1 Bike space per car space but not less than 3</div>
<div>Tennis, Racquetball and Handball Facility</div> <div>Bicycle Parking</div>	<div>4 Parking spaces per court (Plus requirements for accessory uses)</div> <div>0.1 Bike space per car space but not less than 3</div>
<div>Spectator Sports and Entertainment</div> <div>Bicycle Parking</div>	<div>0.25 Parking spaces per seat</div> <div>0.1 Bike space per car space but not less than 3</div>
<div>Live Theater and Movie Theater</div> <div>Bicycle Parking</div>	<div>0.35 Parking spaces per seat</div> <div>0.1 Bike space per car space but not less than 3</div>
ANIMAL SERVICES	
<div>Veterinarian Clinic or Hospital</div> <div>Bicycle Parking</div>	<div>The Sum of the Following: 2.5 Parking spaces per examination room 1 Parking space per employee/doctor but not less than 4 (Largest work shift)</div> <div>0.05 Bike space per car space but not less than 3</div>
<div>Commercial Equine Stable</div> <div>Bicycle Parking</div>	<div>0.2 Parking space per stall</div> <div>0.05 Bike space per car space but not less than 3</div>

Commercial Kennel	2 Parking spaces per KSF GFA
Bicycle Parking	0.05 Bike space per car space but not less than 3

Note: KSF GFA: Thousand Square Feet of Gross Floor Area

(Added by Ord. No. 6940 (N.S.) adopted 4-10-85.)
 (Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)
 (Amended by Ord. No. 10251 (N.S.) adopted 2-6-13)

6762 PARKING REQUIREMENTS: **COMMERCIAL ANIMAL SERVICES**

Type of Occupancy, Use or Structure	Required Parking
Commercial Equine or Horse Stable	0.2 Parking space for each available horse corral, paddock or stall for use. A corral, paddock or stall may be located in a stable or in an animal enclosure. 1 Loading Space* for every 3 required parking spaces. A minimum of 1 loading space is required for every Horse Stable. This is in addition to the loading spaces required in section 6786.
	* Loading spaces shall allow for enough space for horse loading as well as deliveries of hay, feed or other materials for the horse stable in addition to the standard space required of 10 feet wide by 35 feet long.

(Added by Ord. No. 10285 (N.S.) adopted 9-11-13)

6764 PARKING REQUIREMENTS: **CIVIC**

Type of Occupancy Use or Structure	Off-Street Parking
Library, Museum, Art Gallery	3 Parking spaces per KSF GFA
Bicycle Parking	0.1 Bike space per car space but not less than 3
Community Center	3.5 Parking space per KSF GFA
Bicycle Parking	0.1 Bike space per car space but not less than 3
U.S. Post Office (Leased Land)	30 Parking spaces per KSF GFA
Bicycle Parking	0.1 Bike space per car space but not less than 3
Fire Station	The Sum of the Following: 1 Parking space per employee (Largest work shift) 3 Parking spaces (Plus additional on-site parking required for fire trucks/vans assigned to the station)
Guest Parking	
Bicycle Parking	0.05 Bike space per car space but not less than 3
Police Station	The Sum of the Following: 1 Parking space per employee (Largest work shift)

Type of Occupancy Use or Structure	Off-Street Parking
<p>Guest Parking</p> <p>Bicycle Parking</p>	<p>3 Parking spaces <i>(Plus additional on-site parking required for police station vehicle fleet including motorcycles)</i></p> <p>0.1 Bike space per car space but not less than 3</p>
PUBLIC ASSEMBLY	
<p>Religious Assembly Church, Synagogue, Temple, Mission</p> <p>Bicycle Parking</p>	<p>0.25 Parking space per person <i>(Based on total occupancy of the largest assembly room permitted by the County Building Code)</i></p> <p>0.1 Bike space per car space but not less than 3</p>
<p>Park</p> <p>Passive Uses</p> <p>Structured Active Uses (e.g. basketball, tennis, ball fields, etc.)</p> <p>Bicycle Parking</p>	<p>4 Parking spaces per acre</p> <p>10 Parking spaces per acre</p> <p>Park uses shall include bicycle racks to accommodate 0.05 bike space per car space but not less than 5 bicycle spaces</p>
<p>Conference Center / Auditorium</p> <p>Bicycle Parking</p>	<p>0.25 Parking space per seat</p> <p>0.1 Bike space per car space but not less than 3</p>
<p>Private Club</p> <p>Lodge Hall, Union Hall</p> <p>Bicycle Parking</p>	<p>0.35 Parking space per person if fixed seating is provided <i>(Based on total occupancy of the largest assembly room permitted by the County Building Code)</i></p> <p>OR</p> <p>35 Parking spaces per KSF in the largest assembly room if fixed seating is not provided <i>(Plus requirements for accessory uses if such uses will be active at the same time as the largest assembly room)</i></p> <p>0.05 Bike space per car space but not less than 3</p>

Senior High School Auditorium, Basketball Stadium, or Football Stadium <i>(whichever has the greatest occupancy)</i> Bicycle Parking	The Sum of the Following: 1 Parking space per employee 15 Parking spaces for visitors 0.25 Parking spaces per student 0.2 Parking space per seat minus employee, visitor, and student spaces provided above 0.1 Bike space per student
College and University (Educational institutions beyond the 12 th grade) Auditorium, Basketball Stadium, or Football Stadium <i>(whichever has the greatest occupancy)</i> Bicycle Parking	The Sum of the Following: 0.7 Parking spaces per faculty member/staff 0.3 Parking spaces per student 25 Parking spaces for visitors 0.2 Parking space per seat minus employee, visitor, and student spaces provided above 0.05 Bike space per student
Other Educational Institutions Including Private or Charitable Institutions Offering Instruction, Training, or Learning Opportunities <i>When located in a commercial center consisting of 10 KSF GFA or more and this use does not comprise more than 25% of the total GFA of the commercial center, this section does not apply. See Section 6762 Retail Sales and Services.</i> Bicycle Parking	1 Parking space per employee plus The Greater of the Following: 0.5 Parking space per student/trainee, OR 0.3 Parking space per KSF GFA 0.1 Bike space per student
MEDICAL CARE FACILITIES	
Hospital Acute, General Bicycle Parking	2.5 Parking spaces per bed 0.05 Bike space per car space but not less than 3
Medical Office Bicycle Parking	5 Parking spaces per KSF GFA 0.1 Bike space per car space but not less than 3
Other Medical Care Facilities Other Facilities Providing Overnight Medical Care (e.g. mental/psychiatric institutions, intermediate care homes, nursing homes, etc.) Bicycle Parking	0.33 Parking spaces per bed 0.05 Bike space per car space but not less than 3

Note: KSF GFA: Thousand Square Feet of Gross Floor Area

(Added by Ord. No. 10251 (N.S.) adopted 2-6-13. Formerly Sec. 6766, 6770 & 6772.)

6772 PARKING REQUIREMENTS: INDUSTRIAL AND STORAGE

Type of Occupancy Use or Structure	Off-Street Parking
Research and Development Bicycle Parking	3 Parking spaces per KSF GFA 0.1 Bike space per car space but not less than 3
General Manufacturing Including Uses Where the Primary Activity is the Conversion of Raw Materials or Parts into Finished Products Bicycle Parking	1.5 Parking spaces per KSF GFA <i>(Office space cannot exceed 25% of total facility GFA. Requirement for excess office floor area shall be calculated according to stand-alone commercial office use parking requirements)</i> 0.1 Bike space per car space but not less than 3
Light Manufacturing Including Printing, Material Testing, Light Assembly, etc. Bicycle Parking	1 Parking space per KSF GFA <i>(Office space cannot exceed 25% of total facility GFA. Requirement for excess office floor area shall be calculated according to stand-alone commercial office use parking requirements)</i> 0.1 Bike space per car space but not less than 3
Industrial Park Including a mix of Light Industrial, Manufacturing, Service, and Warehousing Bicycle Parking	2 Parking spaces per KSF GFA <i>(Office space cannot exceed 25% of total facility GFA. Requirement for excess office floor area shall be calculated according to stand-alone commercial office use parking requirements)</i> 0.1 Bike space per car space but not less than 3
Recycling Center Bicycle Parking	The Sum of the Following: 1 Parking space per employee but not less than 5 <i>(Largest work shift)</i> PLUS 0.33 Parking spaces per KSF site area 0.05 Bike space per car space but not less than 3
Salvage Yard Scrap Metal Processing, Motor Vehicle Dismantling, Junk Yard Bicycle Parking	0.2 Parking spaces per KSF 0.05 Bike space per car space but not less than 3
Moving and Storage Business Bicycle Parking	0.5 Parking spaces per KSF GFA 0.05 Bike space per car space but not less than 3
Self Storage / Mini Storage Warehouse	The Sum of the Following: 0.015 Parking space per storage unit PLUS

	2	Parking spaces for caretaker's dwelling, if applicable
Bicycle Parking	0.05	Bike space per car space but not less than 3
General Warehousing and Storage	The Sum of the Following:	
	1	Parking space per KSF GFA up to 20 KSF PLUS
	0.5	Parking spaces per KSF GFA over 20 KSF
Bicycle Parking	0.05	Bike space per car space but not less than 3
Outdoor Storage Yard Contractor, General, Building Materials, Vehicles, Construction Equipment	0.4	Parking spaces per KSF GFA
Bicycle Parking	0.05	Bike space per car space but not less than 3

Note: KSF GFA: Thousand Square Feet of Gross Floor Area

(Amended by Ord. No. 10251 (N.S.) adopted 2-6-13. Formerly part of Sec. 6778)

6778 PARKING REQUIREMENTS: AGRICULTURAL

Type of Occupancy Use or Structure	Off-Street Parking
General Agricultural Horticulture, Crop Production, Animal Production	None Required
Bicycle Parking	None Required

(Added by Ord. No. 6940 (N.S.) adopted 4-10-85.)

(Amended by Ord. No. 10251 (N.S.) adopted 2-6-13)

6780 PARKING REQUIREMENTS: OTHER OCCUPANCIES AND USES

Type of Occupancy Use or Structure	Off-Street Parking
Other occupancies, uses and buildings not specified elsewhere in the Parking Schedules.	3.3 Parking spaces per KSF GFA
Bicycle Parking	0.1 Bike space per car space but not less than 3

(Added by Ord. No. 6940 (N.S.) adopted 4-10-85.)

(Amended by Ord. No. 10251 (N.S.) adopted 2-6-13)

6782

6782 **PARKING REQUIREMENTS: USE PERMITS AND HISTORIC DISTRICT SITE PLANS**

Type of Occupancy Use or Structure	Off-Street Parking
Uses conducted pursuant to a use permit or to a Historic District Site Plan.	The number of off-street parking, loading, and bicycle spaces shall be as required by the use permit or Historic District Site Plan. To the extent that the use permit or Historic District Site Plan does not specify the number of parking, loading, or bicycle spaces, the requirements of these Parking Regulations shall apply. Notwithstanding the parking requirements of this section, where a Historic District Site Plan pursuant to Section 5749 a has been waived or exempted by the Director, existing buildings which are expanded or renovated shall be required to provide off-street parking only as determined by the Director to be feasible.

(Added by Ord. No. 6940 (N.S.) adopted 4-10-85.)
(Amended by Ord. No. 8407 (N.S.) adopted 5-18-94.)
(Amended by Ord. No. 10251 (N.S.) adopted 2-6-13)

6783 PARKING REQUIREMENTS: SPECIAL PARKING DISTRICTS

Type of Occupancy Use or Structure	Off-Street Parking
Uses conducted within a Special Parking District as designated in Section 5761.	<p>The number of off-street parking, loading, and bicycle spaces shall be determined according to the provisions of Section 5761 c.</p> <p>Notwithstanding the parking requirements of this section, where the Site Plan required at Section 5761 c. has been waived or exempted by the Director, existing buildings which are expanded or renovated shall be required to provide off-street parking only as determined by the Director to be feasible, taking access from an alley or side street. The number of spaces shall be as close as possible to the number which would be required if the Special Parking District did not exist.</p>

(Added by Ord. 8407 (N.S.) adopted 5-18-94.)

(Amended by Ord. No. 10251 (N.S.) adopted 2-6-13)

6784 REDUCTION OF PARKING SPACES.

- a. **Parking Assessment District.** The number of required parking spaces for uses and structures located within an assessment district formed to provide off-street parking shall be reduced by the number of parking spaces provided by the assessment district which are attributable to the subject property. For purposes of this Section, the parking spaces shall be attributed to each lot or parcel in the same ratio that the assessed value of the subject parcel bears to the total assessed value of the assessment district, unless the Board of Supervisors determines that the parking spaces should be attributed to individual parcels in another manner.
- b. **Parking Reduction for Multi-Use and/or Mixed-Use Development.** A parking reduction may be approved by the Director where it can be demonstrated that two or more adjacent multi-use and/or mixed-use developments on one or more lots or parcels have distinctly different parking demand patterns that allow for the shared use of parking spaces without conflict. Shared parking is most effective when land uses have distinctly different activity periods such as day and night or weekday and weekend. Shared parking reductions may apply to either new or existing development.

Requirements for approval of shared parking reductions are as follows:

1. **Administrative Permit Is Required.** An Administrative Permit, in accordance with Sections 7050 through 7074, shall be required for the sharing of parking spaces. The Administrative Permit shall apply to every property subject to the shared parking arrangement. In addition to the findings required by Section 7060, the following additional findings are required:
 - i. The parking spaces to be provided for shared parking would be available as long as the uses requiring the spaces lawfully exist.
 - ii. The quality and efficiency of the shared parking would be comparable to the level that is otherwise required.
2. **Shared Parking Agreement Is Required.** The Administrative Permit shall include a condition requiring the applicant to submit a signed agreement between the applicant and the other property owner(s) providing the off-street parking spaces that are subject to the shared parking arrangement, with the County included as a third party beneficiary to the agreement. The agreement, titled "Shared Parking Agreement," shall be subject to the approval of the Director as to form and content and shall be recorded with the Office of the County Recorder. The Shared Parking Agreement shall meet recording requirements of state statutes and contain the Director's signature as to form and content, current contact information, the property's address, and the County Assessor's parcel number for the property.

3. **Parking Study.** The Director may require the applicant to submit a parking study, prepared by a qualified traffic or parking consultant, to assist the Director in determining the appropriate shared parking reduction. For existing development where new or different uses are proposed, the base parking demand may be based on either the County Parking Regulations parking ratio or on a detailed survey of actual parking demand for the active uses on the site. If a field survey approach is used, the study shall apply appropriate seasonal demand adjustments to determine the peak parking demand.
4. **Allowable Walking Distances For Shared Parking.** The shared parking arrangement will be more effective the closer shared parking spaces are to the uses they serve. The Director shall review and determine that the shared parking spaces are generally within the following desired maximum walking distances for customers/visitors and employees:
 - i. Customers/Visitors – 600 feet
 - ii. Employees – 1,000 feet

(Renumbered without substantive amendment by Ord. No. 6940 (N.S.) adopted 4-10-85.
Formerly Sec. 3260.)

(Amended by Ord. No. 10251 (N.S.) adopted 2-6-13)

6785

6785 RELATIONSHIP OF REQUIRED PARKING TO BUILDING SITE.

All required parking and bicycle spaces shall be located on the same legal parcel with the use or structure they are intended to serve, unless the site on which they are located is subject to the Village Parking Regulations in Section 8000, meets the provisions of Section 6788, or the site meets all of the following conditions:

- a. There is a traversable pedestrian route, not more than 600 feet in length over and along public streets or walkways or permanently established easements between the parking or bicycle spaces and the uses or structures to be served.
- b. The site is already zoned S86 Parking Use Regulations or, all persons owning an interest in the site shall execute and record an agreement not to oppose a reclassification to the S86 Parking Use Regulations and then shall make application and pay the fees for this reclassification.

(Amended by Ord. No. 6940 (N.S.) adopted 4-10-85. Formerly Sec. 3272.)

(Amended by Ord. No. 10251 (N.S.) adopted 2-6-13)

6786 LOADING SPACES.

Loading spaces shall be 10 feet wide by 35 feet long. All buildings containing commercial or industrial use types, hospitals, or institutions hereafter constructed, converted, established, or enlarged to increase their floor area shall be provided with loading spaces as follows:

- a. Number of Loading Spaces.

Total Floor Area on Parcel
(Other than floor area
devoted to office uses)

Number of Loading Spaces

Less than 5,000 square feet	0
5,000 to 19,999 square feet	1
20,000 to 39,999 square feet	2
40,000 to 79,999 square feet	3
80,000 square feet and over	4 plus 1 space for each additional 50,000 square feet

- b. Access. Loading spaces shall have safe and adequate means of ingress and egress for trucks to and from a public street or alley and through the parking area.
- c. Exemptions. Notwithstanding the provisions of this section, mini-warehouses shall be exempted from the loading space requirements.

6877 HERD SIZE FOR SPECIFIED DAIRIES

Dairies that were in operation and whose herd size exceeds current zoning limitations, as of December 15, 1986 shall be permitted to maintain the following numbers of bovine animals on site:

Owner Site Address	Assessor's Parcel Number	Site Acreage	Permitted Herd Size
Ed Brower 15691 Rockwood Rd. (Escondido Area)	242-010-05 241-060-09 241-090-16	119.51 acres	750 head
Arie DeRaadt Harmony Grove Rd.	235-010-16,17,21 235-031-11	30.66 acres	650 head
Eden Vale Dairy (Kesting) Harmony Grove Rd.	235-011-01,02	50.61 acres	550 head
John Konyon 27918 Valley Center Rd.	186-240-11,12	69.65 acres	1,140 head
Simon Vander Woude 3588 Twin Oaks Valley Rd. (San Marcos Area)	178-170-01,11	38.98 acres	400 head
Gerritt Van Ommering 15055 Willow Rd. (Lakeside)	390-040-03,23,26	125.16 acres	1,400 head
Ellen Whelan (Estate) 3850 North River Rd. (Oceanside)	157-020-41 158-010-02,03,07	323.68 acres	385 head

These dairies shall be required to obtain approval of a Major Use Permit prior to expansion of the herd size to a number greater than that permitted above or prior to a reduction in site area without a proportionate decrease in herd size, unless said dairy is reclassified to a zone permitting such expansion.

(Added by Ord. No. 7354 (N.S.) adopted 8-5-87)

6878

6878 REDEVELOPMENT AREAS

(Added by Ord. No. 7878 (N.S.) adopted 3-6-91)
(Repealed by Ord. No. 9246 (N.S.) adopted 8-9-00)

6879 EQUINE OPERATIONS AND USABLE AREA FOR SPECIFIED HORSE STABLES

Horse Stables that were in operation prior to the adoption of the Zoning Ordinance on October 18, 1978 that have been documented by the Department, shall be permitted to maintain the following numbers of horses on the site acreage as long as the use continues without interruption pursuant to section 6865:

Owner Site Location	Specified Horse Stables		
	Assessor's Parcel Number	Site Acreage in use as a horse stable	Permitted numbers of horses
Eugene "Kip" Hering Lakeside	3921304100	27 acres	Up to a maximum of 100 horses
Judy Tieber Mount Miguel Equestrian Center Sweetwater	5851130700	2.5 acres	Up to a maximum of 50 horses
Gene Ames Lucky 7 Ranch Sweetwater	5900910200	5 acres	Up to a maximum of 50 horses
Paul Herigstad Valley Center	1850631000	4 acres	Up to a maximum of 25 horses

An expansion of use at these stables only requires the necessary permit for the expanded area(s) outside this specified site acreage and numbers of horses in addition to these specified numbers since October 18, 1978. The prior use is considered a nonconformity, is here documented and may continue in operation as such pursuant to section 6852.

(Added by Ord. No. 10285 (N.S.) adopted 9-11-13)

1. All elements of the proposed fire protection or law enforcement services are consistent with the intent and purpose and meet the requirements of this section and applicable zone requirements.
2. Buildings and structures will be so located on the site as to create a generally attractive appearance and be agreeably related to surrounding development and the natural environment.
3. Insofar as is feasible, natural topography and scenic features of the site will be retained and incorporated into the proposed development.
4. Any grading or earth-moving operations in connection with the proposed station are planned and will be executed so as to blend with the existing terrain both on and adjacent to the site.

(Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)

(Amended by Ord. No. 9101 (N.S.) adopted 12-8-99)

6906 REQUIREMENTS FOR FARM LABOR CAMPS.

- a. For any application for a Minor Use Permit for a farm labor camp which is subject to the waiver of fees pursuant to Section 7602.d.5, prior to the approval of the Minor Use Permit the property owner shall enter into a contract with the County agreeing to specific rental terms and conditions which make low cost housing available to farm employees and will allow for periodic inspections of the housing by County employees. The form of the contract shall have been approved by the Board of Supervisors.
- b. Farm labor camp housing shall be removed or converted to another allowed use at such time as the commercial agriculture to which it relates ceases operation for more than twelve consecutive months following the date of occupancy on the building permit issued for the farm labor camp housing.
- c. For any application for a Minor Use Permit for a farm labor camp which is subject to the waiver of fees pursuant to Section 7602 d.7, prior to the submittal of the Minor Use Permit application the property owner shall enter into a contract with the County agreeing to specific rental terms and conditions which make low cost housing available to farm employees and will allow for periodic inspections of the housing by County employees. The form of the contract shall have been approved by the Board of Supervisors.
- d. Prior to submitting an application for a building permit for a farm labor camp project, the property owner shall enter into a contract with the County agreeing to specific terms and conditions. The form of the contract shall have been approved by the Board of Supervisors.

6906

- e. Evidence of Commercial Agriculture. Prior to approval of the Minor Use Permit for a Farm Labor Camp the property owner shall provide appropriate evidence to the satisfaction of the Director of Planning and Land Use of an active Commercial Agricultural Operation. A Horse Stable or Horsekeeping are not considered evidence of Commercial Agriculture for Farm Labor Camps.
- f. On an annual basis, the property owner shall file a certificate with the Director stating that the Commercial Agricultural operation to which the housing is related is still active and that the tenants are employed as Farm Employees. Failure to file the certificate will indicate the Commercial Agriculture has ceased.

(Added by Ord. No. 7768 (N.S.) adopted 6-13-90)

(Amended by Ord. No. 7790 (N.S.) adopted 08-01-90. This ordinance will expire on August 31, 1993, unless extended in connection with GPA 93-02)

(Amended by Ord. No. 8086 (N.S.) adopted 6-16-92)

(Amended by Ord. No. 8271 (N.S.) adopted 6-30-93)

(Amended by Ord. No. 10003 (N.S.) adopted 8-5-09)

(Amended by Ord. No. 10222 (N.S.) adopted 9-25-12. Opr. 11-26-12)

(Amended by Ord. No. 10285 (N.S.) adopted 9-11-13)

6907 CREMATORIIUMS.

Crematoriums shall comply with the following provisions:

- a. Separation Requirement. In any zone where the Funeral and Interment Services: Cremating use type is permitted, or within any cemetery, no use permit for a crematorium use shall be approved if said use is within 650 feet of:
 - 1. Any lot or parcel upon which one or more residences are the primary use at the time of initial application for the use permit for a crematorium,
 - 2. Any residential use regulations, or
 - 3. Any school or public playground, park or recreational area.

This 650 foot distance, without regard to intervening structures, shall be measured as a straight line from the closest exterior structural wall of a crematorium to the closest property line of a residence which is a primary use, area zoned with residential use regulations, or school, public playground, park or recreational area. A Variance may be granted from this separation requirement pursuant to the Variance Procedure commencing at Section 7100.

This separation requirement shall not apply to a subsequent application for modification of a previously approved and still valid crematorium use permit, unless said modification would enlarge the outside dimensions of the building(s) and/or structures housing the crematory operation.

Application of this separation requirement shall be at the discretion of the approving authority when rendering a decision on a Major Use Permit for a crematorium, the building permit application for which was on file with the County prior to the effective date of this Section.

7300 ZONING VERIFICATION PERMIT

The provisions of this section shall be known as the Zoning Verification Permit. A Zoning Verification Permit is a ministerial permit for uses specified in the Zoning Ordinance. The Director or the Director's designated officer shall review and evaluate applications for Zoning Verification Permits in conformance with standards and criteria set forth in the Zoning Ordinance and all other applicable standards, criteria, ordinances and laws. Any action of the Director or the designated officer pursuant to this section may be taken without notice or public hearing. The decision by the Director or designated officer pursuant to this section shall be final.

(Added by Ord No. 10285 (N.S.) adopted 9-11-13)

